

# PRISON LABOR



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EDITOR: EMORY R. JOHNSON

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THE PAPERS IN THIS PUBLICATION WERE  
COLLECTED AND EDITED BY  
E. STAGG WHITIN, PH.D.,  
GENERAL SECRETARY,  
NATIONAL COMMITTEE ON PRISON LABOR,  
AND  
J. P. LICHTENBERGER, PH.D.,  
ASSOCIATE EDITOR.



## INDUSTRIAL PENOLOGY<sup>1</sup>

BY E. STAGG WHITIN, PH.D.,

General Secretary, National Committee on Prison Labor.

The state has a property right in the labor of the prisoner. The thirteenth amendment of the Constitution of the United States<sup>2</sup> provides that neither slavery nor involuntary servitude shall exist, yet by inference allows its continuance as punishment for crime, after due process of law. This property right the state may lease or retain for its own use, the manner being set forth in state constitutions and acts of legislatures. To make this of material value the prisoner's labor must be productive. The distribution of the product of the prisoner's labor inevitably presents the problem of competition, and the unfair competition between prison-made goods and those made by free labor has overshadowed the fundamental evil inherent in penal servitude and has caused confusion in the thought underlying prison labor regulation by legislative enactment.<sup>3</sup>

The usual penological analysis of prison labor into lease,<sup>4</sup> contract, piece-price, public account and state-use systems is impossible to use in an economic analysis of the labor conditions involved. Economically two systems of convict production and two systems of distribution of convict-made goods exist; production is either by the state or under individual enterprise; distribution is either limited to the preferred state-use market or through the general competitive market. In the light of such classification the convict labor legislation of recent years shows definite tendencies toward the state's assumption of its responsibility for its own use

<sup>1</sup> In connection with the above article the reader's attention is called to Dr. Whitin's recent book on "Penal Servitude" (Pp. xi, 162. Price \$1.50. New York: National Committee on Prison Labor), a brief review of which appeared in the preceding issue of THE ANNALS. The volume is illustrated with photographs of prisons and of prison laborers under a variety of conditions. It gives a popular treatment of the subject, based on the investigations of the National Committee on Prison Labor.—EDITOR.

<sup>2</sup> Constitution of the United States, 13th Amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction."

<sup>3</sup> "Labor Legislation of 1911," in *American Labor Legislation Review*, vol. 1, No. 3, p. 122.

<sup>4</sup> Charles R. Henderson, *Penal and Reformatory Institutions*, pp. 198-203.

of the prisoners on state lands, in state mines, and as operatives in state factories; while in distribution the competition of the open market, with its disastrous effect upon prices, tends to give place to the use of labor and commodities by the state itself in its manifold activities. Improvements like these in the production and distribution of the products mitigate evils but in no way affect the economic injustice always inherent under a slave system. The payment of wage as a right growing out of production of valuable commodities is the phase of this legislation which tends to destroy the slave condition. Such legislation has made its appearance, together with the first suggestion of right of choice allowed to the convict in regard to his occupation. These statutes still waver in an uncertain manner between the conception of the wage as a privilege, common to England<sup>5</sup> and Germany,<sup>6</sup> and the wage as a right as it exists in France.<sup>7</sup> The development of the idea of the right of wage, fused as it is with the movement towards the governmental work and workshops, cannot fail to stand out in significance when viewed from the standpoint of the labor movement.

In a word, the economic progress in prison labor shown in recent legislation is toward more efficient production by the elimination of the profits of the lessee; more economical distribution of the products by the substitution of a preferred market, where the profits of the middleman are eliminated, in place of the unfair competition with the products of free labor in the market; and finally the curtailment of the slave system by the provision for wages and choice of occupation for the man in penal servitude.

Administrative development to meet the last session's legislative enactments marks the phase of the prison labor movement dominant in the year just closed (1912). The very framework of the state governments has had to be adapted to the efficient business methods required for the better adjustment of the interlocking functions of prison production for departmental consumption. Discussion of the varying methods to this end has been had at the House of Governors (Richmond, December), at the American Prison Association (Baltimore, November), at the American Institute of Criminal Law (Milwaukee, September) and at the National Conference of Charities and Correction (Cleveland, June). Enlisted

<sup>5</sup> Charles R. Henderson, *Modern Prison Systems*, p. 128. 57th Congress, 2d Session, H. D., vol. 92.

<sup>6</sup> Caesar Lombroso, *Crime, Its Causes and Remedies*, pp. 337-9.

<sup>7</sup> Roux Roger, *Le Travail dans les Prisons*, p. 31.



in the actual readjustment have been the Board of Public Affairs of Wisconsin, the Efficiency Commission of Massachusetts, the Board of Administration of Ohio, the Board of Control and Supply of Rhode Island, Governor's Commissions in New York, Maryland and Iowa, a special Prison Labor Commission in New Jersey and the State Boards of Charities in Virginia and California. Governors, unaided by such agencies, in Arkansas, South Carolina and New Mexico, have resorted to the pardoning power to remedy the evil conditions. Direction of the movement has been shaped by the appearance of a little volume entitled, "Penal Servitude," prepared under the direction of the National Committee on Prison Labor and enthusiastically approved by the American Federation of Labor. Theodore Roosevelt included the programme in his social justice plank of the progressive platform; Woodrow Wilson presented it as a part of his labor record; while in numerous states, the platforms of all four parties declared for the principle. The introduction by Attorney-General Wickersham of a federal jail commission bill into Congress marks the activities of the Taft administration to secure an accurate investigation by a competent commission, while the passage of the Booher bill by the lower house placed Congress on record against the contract convict labor system. This movement must not be confused with the emotional expression and description of inhuman conditions in magazine articles and the sensational accounts of ex-convicts, which, while struggling to alleviate conditions inherent in the injustice of penal servitude, have failed to arouse the public to the more scientific, matter-of-fact and purely business-like phases and solutions of the difficulties which have to be faced by state administrations. The movement for scientific efficiency in prison administration has aptly been termed Industrial Penology.

## THE NEW PENOLOGY

BY THEODORE ROOSEVELT.

The progressive party in its platform, adopted in Chicago, August last, declared for "the abolition of the convict labor system; substituting a system of prison production for governmental consumption only; and the application of prisoners' earnings to the support of their dependent families."

There is a growing insistence throughout the United States upon the need for drastic changes in the handling of penal institutions. The basis of the "new penology" is justice both to the prisoner and to society. It is to the interest of both that the prisoner be secured his right to proper work, health, reasonable moral and mental training, and last, but by no means least, the right to rehabilitation so far as in him lies. Any prison system that does not give these rights fails to do its duty.

One of the most objectionable points of our present prison system is the pardoning power. The question is whether it should be in charge of a pardoning board and taken away from the governor, how such a board should be constituted, whether it should be elected or appointed by the legislature or by the governor.

In the public press of January 19th<sup>1</sup> last, appears an article which sets forth portions of letters from some twenty governors in answer to an inquiry made as to the said governors' experiences with the pardoning power and their recommendations. Practically without exception they advocated a board of pardons, acting either in an advisory capacity or as an actual pardoning board. In the latter case, the governor should be and always is, I think, a member of the board. The general argument of the governors is that a governor has too many important matters as the executive of the state to enable him to do full justice to the petitions for pardons and commutation of sentences. Fundamentally the matter is much more serious than the incursion upon the governor's time. The sense of justice of any community is very keen and not by any means always in proportion to the facts. Particularly sensitive are our people, as they should be,

<sup>1</sup> *New York Times*, Sunday, January 19, 1913.

to the apparent abuse of the pardoning power. The board of pardons should be deliberative and not hasty in its action. It would be subject to criticism and scrutiny of the people of the state from the standpoint only of this as its sole function. Such a pardoning board should be non-political and composed of men of high integrity and sound judgment.

Then comes the question of how this board shall be constituted. The experience of the Northern States is that a prison board appointed by the governor is preferable to an elected board. I believe that a prison board composed of three members, appointed by the governor, and appointing their own executive secretary and office staff, is advisable. If the right men are appointed they will give a large part of their time and thought to the matter. Of course conditions in different parts of the country differ, and on all such questions it is advisable that those who are seeking to solve the problem, should consult with men like Mr. A. J. McKelway, who have made a thorough study of the whole problem and who are well acquainted with prison systems and with legislative and administrative difficulties in the various states.

Then comes the question as to how best to employ the convicts. Undoubtedly the convict contract labor system should be abolished and the prisoners should be set to work to produce articles solely for governmental consumption. The problem of the best methods of employing convicts is different in different states. Only a careful survey of conditions in any one state would enable me to answer authoritatively this particular question. Farming and outdoor life are of course advisable throughout the country. Governor Donaghey, of Arkansas, on December 27th last, performed, in my opinion, a necessary act in pardoning some three hundred convicts in order to call attention to conditions obtaining under the lease system which were intolerable. In the southern states I know that the negro convict offers a difficult and discouraging problem. This, however, is no reason why he should be leased out. It is rather a reason why the state should particularly guard its honor by giving him such advantages as are possible under the direct administration of the state alone. The state must get away from the theory that financial profit from its prisoners is its first consideration. The protection of society is the primary purpose of imprisonment and the next purpose is reformation. The penalty must be wise and humane and the prisoner must be made,

as far as possible, to be self-supporting while in prison or under imprisonment. The state should do its own farming, conduct its own industries, pay its own men and should not take a profit from its prisoners, save in as far as they are dealt with according to the best sense of justice of the twentieth century. The state should be able to sell its products as far as possible to its own institutions and to its political sub-divisions, such as the counties, cities, towns, etc. Prisoners should receive a reasonable amount for their work and should meet their own maintenance cost out of their labor. Over and above their maintenance cost (maintenance including all expenses attendant upon running an institution or convict farm, such as salaries, wages, food, clothing, lodging, but not large improvements such as additional buildings, etc.), the surplus should be used for the prisoner or for his dependent relatives. The inability of a state to buy sufficient acreage for all its prisoners, or to conduct convict camps, or to build a prison, looks to be a very large inability only so long as the state takes profit from the sale of each prisoner to a contractor or to a lessee. If the state were absolutely prohibited from contracting or leasing out it would obviously find a way to handle its prisoners otherwise. It is all a question of emphasis and need. The state must find the money for the humane treatment of its prisoners.

At present when a man has served his term in prison he is simply turned out into the world, with his prison record barring him from honest employment and often times forcing him again into crime in order that he may live. It is highly desirable that some other plan for properly handling the discharged convict situation should be adopted. I believe the following principles to be sound:

(a) The period immediately following the prison period is the most crucial time for the convict. He is often an outcast without money and with most of his tendencies directing him toward his old associates.

(b) The state spends a considerable sum on his imprisonment; surely it can wisely spend something on his after-prison period to prevent his being again a charge on the state.

(c) The only method of keeping convicts under proper supervision is by parole, that is, conditional liberty under official supervision.

(d) The parole of negroes in the South will doubtless be attended

by greater difficulties than the parole of white men in northern states, nevertheless, I firmly believe in it.

(e) The problem of the rehabilitation of prisoners, of their decent conduct during the parole period, is peculiarly a problem to be handled by a prison association or a prisoners' aid society. Such a society should cooperate with the state in developing volunteer parole workers, probation workers, taking convicts on parole, cooperating with state parole agents, paying out in instalments to paroled men the money they have earned in prison, and in general developing this supervision. If there are dependent families of prisoners, the prisoners' aid society might well be the association through which the earnings of prisoners could be paid, or the association could work in cooperation with the poor law officials of the various counties or towns.

The fact that a prisoner can earn money while under imprisonment is the greatest incentive to right living that can be given him. A further great incentive is the indeterminate sentence whereby the prisoner earns his own way to liberty through good conduct and progress. Indeterminate sentences are found on the statutes of practically all of the more progressive states in this country.

I am a strong believer in the value of a thorough survey of prison conditions whenever a state is inclined to make radical changes in its laws. Our principal trouble in prison reform is that reforms have been patch work. The time has come, it seems to me, for thorough-going studies followed by thorough-going reform.



## THE WAGE-EARNER AND THE PRISON WORKER

By JOHN MITCHELL,

Seventh Vice-President, American Federation of Labor, and  
President International Mine Workers.

Organized labor is the strongest and most persistent advocate of the employment of convicts in the prisons upon those commodities which are needed by the state and its subdivisions for consumption in its several institutions and departments. The charge that the labor unions are opposed to convict labor is a malicious attempt to prejudice the public against unionism by shifting upon the unions the responsibility for the evil conditions existing in the penal institutions.<sup>1</sup> These are not the words of any labor official, uttered either in complaint or as a boast. They are set down as one of the findings of one who has investigated the convict contract labor system in this country.

One-sided indeed has the conflict so often been that trade-unionists in many states in which the pernicious system has been carried on have accepted the fact, as a matter of course, that obstacles to their attempts to abolish it should be the sentiments of those philanthropically inclined but short-sighted, the emotional utterances of persons reflecting an uninformed public opinion, and, naturally, the special pleadings to the public, accompanied by underhand machinations, of the two classes of men directly controlling the labor of the prisoners—namely, contractors and prison managers.

What is assumed to be the criminal selfishness of the trade-unionists in demanding for themselves the work performed by prisoners, the grievous wrong done to convicts in keeping them idle in their cells, the sufferings of their families when deprived of even the little wages they might earn during their terms of confinement, the certainty of the convict falling into temptation when released at the end of his term without the pittance he might have saved if kept at work on wages, the serious injury to society caused by turning loose upon it annually hundreds or even thousands of desperately

<sup>1</sup> E. Stagg Whitin, "Trade Unions and Prison Labor," in *Case and Comment*, September, 1912.

impoverished criminals ignorant of any means of making an honest living, whereas they might have been instructed in good trades while in prisons—on these themes have been written editorials, sermons, political speeches, and college men's theses, until it might seem that on this question all the rest of the world were in unison against the trade-unionists. This, however, was never really the fact. There has always been on the side of the unionists a considerable body of men, many of them penologists, who had given sufficient study to the complicated subject of prison labor to be entitled to pronounce upon it a well-founded opinion.

When, three years ago, the National Committee on Prison Labor entered upon its work, it was found that its members were in practical agreement on the question with the trade-unionists, that sentiment among active legislators and other public leaders had been changing as guided by a knowledge of the subject, and that hopes to lift our prison labor systems up to a plane that would respond to the demands of the enlightened judgment of competent penologists were reasonably well founded.

"After one year of study the National Committee on Prison Labor found the preponderance of evidence to be in favor of the state-use system; after a second year of study and further investigation, the committee is in a position to declare as prejudicial to the welfare of the prisoner, the prisoner's family and the public, the contract system of prison labor. The committee, therefore, declares itself opposed to the contract system of prison labor and to every other system which exploits his labor to the detriment of the prisoner."<sup>2</sup> With time, this group has been steadily reinforced by independent investigators and disinterested readers of their reports.

The present comparatively advanced status of the movement to bring prison labor in America into accordance with methods approved by European authorities on the subject, may be attributed in good part to the views of the backwardness of our practices expressed by foreign delegates to the International Prison Congress held in Washington last year. The president of that congress said of America's prisons: "In these jails it is hardly too much to say that many of the features linger which called forth the wrath and indignation of the great Howard at the end of the eighteenth century." The laws passed at the sessions of a number of our state legislatures last

<sup>2</sup> *Prison Labor Bulletin*, March, 1912.

winter providing for changes in prison labor were in themselves admissions of sad deficiencies in the methods heretofore pursued.

It may perhaps be said that at length the tide has turned and that the public is gradually coming to recognize the correctness of the position of the trade-unionists with respect to prison labor. Assistance is coming to them in putting an end to a most unhappy situation, whether one considers factors in it which affect the prisoner, the free laborer or the community.

It is natural for the reader to ask why it can be affirmed positively that the trade-unionists have been in the right on this question when so many other well-intentioned citizens who regarded themselves as well informed on public questions were in the wrong. The reply is that union men, especially those of certain occupations, on being for years brought constantly and intimately in contact with the economic and social consequences of contract prison labor, were driven by merciless necessity to find a just solution of the problem involved in it as a national disgrace and social injury.

Iron molders, cigar-makers, boot and shoe makers, chair-makers and other furniture workers, shirt-makers and other garment workers, harness-makers and other leather goods workers, as well as wage-earners in a goodly list of other indoor occupations, at one time or other and in one state or other, during a long period, have had driven home to them through contract prison labor a lesson in political economy which many good people not wage-workers, viewing the question sentimentally rather than practically, could have little opportunity to learn. Only a faint impression may be gained when one reads in an encyclopedic work on abstract economics such a dictum as:

"The price of a surplus of a commodity in a market is the price of the entire stock," but a deep and lasting impression is received, as from a knock-out blow, by a force of "free" dollar-a-day girl shirt-waist makers when they are discharged because the goods turned out from their employer's factory cannot compete in market price with goods of the same kind produced for a prison labor manufacturer by twenty-cents-a-day convicts. On this economic point, the New York Commissioner of Labor has thus quoted a shirt manufacturer: "All goods are sold by commercialism, and the lowest price makes the price for all as long as the cheaper article is on sale."<sup>3</sup>

<sup>3</sup>New York State Commissioner of Labor Report 1909.



In his report for 1910, the Commissioner of Labor of Missouri gives the idea clearly when he says: "A bad feature for the outside manufacturer is that convict goods can be and are sold to dealers and jobbers at figures slightly below their own. Therefore, it is very plain that all prison-made articles stand a better chance of selling first, and the demand must exceed this output before the jobbers and dealers can begin to handle the products of the regular tax-paying factories employing honest wage-earning men and women."

In Missouri alone in 1909 the output of convict labor shops was valued at \$4,708,102.<sup>4</sup> Now, it is by far the lesser factor in the problem for that state that nearly seventeen hundred free industrial wage-earners were in that year thrown out of work through the contract labor of that number of prisoners, with a loss to free labor of \$758,000 in wages, as computed by the commissioner. The portentous factor to society was the demoralization of the markets through the prison-labor goods, with ruinous consequences to the free-labor manufacturers, necessitating low wages for their employees and perhaps the temporary or even permanent closing of factories. When one remembers that the case of Missouri is the case of every state tolerating the convict contract system, in all twenty-nine a year ago, he may see the enormity of the wrong done in the United States to the wage-workers who are not convicts and to the manufacturers who are not privileged to have their goods made by convicts in prison factories, with the advantages of free rent, power and heat, and an untaxed plant.

Left to themselves, the free manufacturers in an industry can in a general way so conduct it as either to minimize the occasional waste from over-production or to overtake the market on the occurrence of a shortage in production. In the course of years they can maintain approximately an equilibrium of trade, resulting on the whole in fairly steady work for the wage-earners and average gains to the investors in the business. But, to a number of industries, of all the circumstances which vitiate the natural course of free production, prison labor has long been one of the most hurtful and vexatious. Fully thirty years ago the stove manufacturers of New York, in petitioning the legislatures to do away with iron molding in Sing Sing, represented that as a body they could, if the state took its hands off them, provide for the average annual consumption of their goods

<sup>4</sup>Missouri Red Book, 1909, pp. 457-8.

at remunerative prices, without serious fluctuation in their scale of wages or their number of employees. Contract prison products, however, made the total output and its market prices ruinously uncertain. In New York, the contest between the two classes of metal manufacturers, free and prison, ran through decades. It was largely the efforts of the molders' union, associated with other labor organizations, which brought about the constitutional amendment of 1895, by which was introduced what is now known as the "State-use" system, putting an end in New York to contract prison labor.

A barbarous social abuse certain to arise from the establishment of contract prison labor lies in securing the needed laborers. It would not do to have the contractors suffer through want of employees. A significant light was thrown on this phase of the subject in testimony given at Washington before a sub-committee of the House of Representatives three years ago, relative to a report of the Baltimore grand jury in January, 1907. A passage in this report read: "Owing to the high value of labor, we find the authorities of our penal institutions anxious for long-term prisoners, in order that their financial showing shall be improved and that they may get appropriations for new buildings, on the ground of their being entirely or partially self-supporting. This is very commendable."<sup>5</sup> The Maryland penitentiary is one of the shirt trust factories. The process of legally putting poor and ignorant black men to work in the southern mines as convict laborers has all the look of a villainous form of conscription.

"The report on the State Convict Board of Alabama shows that the total gross earnings of convicts in that state for the year ending September 10th was \$1,073,286.16. These figures, without taking into account the earnings of one hundred convicts who were employed on the state farm, from whom the state would have received \$30,000 more if they had been leased on the same terms as the others, shows a gain for 1912 over the previous year of \$16,456.93. The figures for other states where the convict lease system is in force are not at hand, but there is every reason to believe that the above is a fair sample of the profits made elsewhere. No doubt this statement of the Convict Board, coming at the time of the year when the papers are filled with the reports of bountiful harvests and bumper crops,

<sup>5</sup> *Hearings before Sub-Committee No. 4, Committee on Labor, House of Representatives on H. R. 4040, "Competition of Penal Labor" (1908), p. 127.*

will read to a good many people like another evidence of the prosperity of the state. Other persons, considering the dubious source of this income, will perhaps comfort themselves with the reflection that the profits of the state upon its convicts go very largely to support the public schools, and so return good for evil. How many know or have considered the actual facts in regard to the matter, namely, that under the fee system, as it still exists in Alabama and other parts of the South, the sheriff is put in the position of a recruiting agent for the employers of convict labor; that about eighty-seven per cent of all convicts of the state are negroes, many of whom, arrested for trifling offenses, have drifted into crime because of ignorance and the neglect of the state properly to educate them; that in spite of the regulations to protect these unfortunate slaves of the state, life in the convict camps to-day is more degrading and cruel than it ever was under the worst form of slavery; that when these men are finally released they go back into the walks of daily life broken in body and embittered in mind, to become not only a burden but a menace to the remainder of the community? Considered in the light of its ultimate results to the community, this large profit from convicts' labor is not a gain—not even in the material sense—but a loss. A few private individuals may profit by this system, but the state loses. The state loses because these men from the convict camps and the mines return, at the end of their period of servitude, worse in body and in soul than they were before. No state can afford to make a business profit out of the moral degradation of any of its citizens.”\*

How many men and women of the needle trades in the United States, it may be asked, have seen their jobs taken from them through prison labor—just as the employees of four shirt factories in Baltimore, after the panic of 1907, were discharged, doomed to idleness, when the firm employing them transferred their sewing machines to the Maryland penitentiary, to give the prisoners work at full time? How many industrial wage-workers have seen the places of their employment close through their employer's inability to compete with a manufacturer working convicts—just as was the case of a chair-making company, which, after thirty years in the business, was forced to discontinue turning out a certain grade of goods made for it by free employees at \$1.50 to \$3.00 a day, in competition with convicts at 30 to 50 cents a day? How many poor, unfortu-

\* *The Outlook*, December 7, 1912.

nate blacks and whites have known while at work in prison or mine that they have been arrested, not to be punished as law-breakers, but to be worked for a combination of prison keepers and slave-driving prison labor contractors—just as may be the case to-day whenever the temptation and the power exist for treacherous authority and unscrupulous greed to seize and exploit weakness and helplessness? Thousands, even tens of thousands, of American citizens have in one or other of these ways been mercilessly and infamously robbed of their time, of their labor, either of which means so much of their very lives. All these sufferers had relatives, or friends, or fellow-workers who witnessed their cruel and unjust fate or heard the story of it, and these, with the victims, have no doubt wondered, in righteously rebellious spirit, where were law and justice and mercy and Christianity, while such shocking evils could be tolerated by society.

Is there a confirmed criminal class in this country, skeptical of purity in the law and beneficence in its institutions? Is there a growing defiance of the public officials? Is there a widespread conviction among the lowly that to be poor is to be legitimate prey for cunning arch-thieves cloaked in legal authority or endowed with legal privileges, even to that of jailing the victims of poverty and working them like slaves?

When one calls to mind the enormous numbers of poor people who have suffered in some form from the blunders or the criminalities possible under our prison labor systems, something of the answer to a perplexing question which law-abiding wage-earners ask one another is suggested. The question is: Who are the mob-makers that suddenly appear in our cities in times of popular excitement? Who are the missile throwers and violent shouters of incendiary phrases, usually unknown to the unionists, that during a lockout or a strike make for the thick of the crowds, to act contrary to the wishes and instructions of the union? To what extent may lawless outbreaks be due to the irrepressible sense of wrong done him by society rankling in the breast of here one man and there another, feeding the latent mob spirit to flame up with the opportunity of manifesting it in public? It is to be remembered that on January 1, 1911, the total prison population of the United States was more than one hundred thousand, while the total number sent to prison in the course of the year 1910, for short as well as long terms, was more than four hundred thousand.



As to a highly promising, if not yet thorough, reform in prison labor, the principle has been applied in New York for fifteen years. Pursuant, as already mentioned, to the petitions of trade-unionists and citizens who coincided with their plan, the Constitutional Convention of 1894 adopted an amendment providing that only such goods should be made in the prisons as were to be used in the public institutions of the state and its subdivisions. The August, 1911, issue of the "Prison Labor Bulletin" of the National Committee on Prison Labor, in announcing a forthcoming complete report of the status of New York's prison industries, says it will show that under the "State-use" system the prison population cannot, even with greatly increased efficiency, come anywhere near supplying the market which the law has thus provided for prison made goods.<sup>7</sup> In addition, at the Onandaga penitentiary, the stone quarry is to be so developed as to supply sufficient work all the year round for the convicts there.

Here we have methods for employing prison labor which have been shown through practice to be productive, as nearly as possible, of unmixed good, viz., manufacturing articles to be used in public institutions and breaking stones for road-making. Further, some states have successfully employed convicts in making roads.

It is now generally believed that convicts should be paid for their labor and that a part of their wages should go to their families. With these features the New York program, supplemented by road-making, presents the leading requisites of an effective salutary scheme. Under it, prisoners may be self-sustaining, as presumably they were, on the whole, while at liberty. The suffering of those dependent upon them may be alleviated through a part of their wages. The prison products do not disturb the markets, the effect of supplying the public institutions amounting only to a slight restriction of the selling field for certain manufacturers. The factory wage-workers are not exposed to convict competition. The convicts may be kept steadily at work, while undergoing a helpful manual training. Limitations are set to the temptations, or opportunities, on the part of prison superintendents, wardens, commissioners—of whatever title—for a vile and cowardly graft. Manufacturers operating their own plants are rid of a discreditable class of competitors.

<sup>7</sup> Final Report, Commission to Examine the Department of State Prisons, New York, 1911.

The change in public sentiment is indicated by the legislation on the prison labor problem in 1911. No state this year has given new powers of leasing or contracting for convict labor. Only one has extended the field of its lessees. Twenty-one have made some provision for state operation or assumption of industries. Eight have provided for state consumption, six for regulation of prices and standardization of products, and three for the branding of prison-made articles. Nine have authorized road-making or road-stone cr shing by convicts. Provision for radical changes in the methods of administration was made in seven states.<sup>8</sup> The principle of relief for dependent families of prisoners was given some recognition. All told, a good start was made in the right direction.

Organized labor, the most forceful social element in promoting these reforms, can welcome such opinions on prison labor as the following, given editorially in the employers' *Mines and Minerals* for June: "There is no question but that convicts should be made to work, and at least earn their keep and the expense of maintaining the penal institutions, if the products of their labor do not enter into competition with those of free labor. There is a kind of work they can do, and it is work that interferes least with free labor. They can crack stone in the prison or jail yards, and this cracked stone can be effectually used to make, repair and keep in order the public roads. If each state should put its prisoners to such use, it would materially reduce the just complaints against our abominable roads; and besides, the privileges and rights of free, honest labor would be interfered with less than by any other work."

It is true, with regard to prison labor, as of many another social problem, that in defending themselves trade-unionists have been protecting not only the interests of non-unionists but of society in general.

<sup>8</sup> E. Stagg Whitin, *Penal Servitude*, p. 8.

## WOMEN AND PRISON LABOR

BY HELEN VARICK BOSWELL,<sup>1</sup>

Chairman, Committee on Political Science, General Federation of Women's Clubs.

The biennial convention of the General Federation of Women's Clubs at San Francisco, in June, 1912, unanimously passed the following resolutions which were presented by the industrial and social conditions committee:

WHEREAS, Club women having discussed throughout the country, under the auspices of the industrial and social conditions committee, the problem of prison labor, and said committee having submitted to careful scrutiny the reports of investigations in this field by the National Committee on Prison Labor and kindred local committees;

*Resolved*, That the General Federation of Women's Clubs declares itself as opposed to the contract system of prison labor, and to every other system which exploits his labor to the detriment of the prisoner, and that we urge upon the several states the advisability of establishing healthy outdoor work for able convicts, remedial care for the feeble and degenerate, and industrial education for all who have the potentiality for reform.

And we further affirm that the products of convicts' labor should be consumed by the state, and that the profits therefrom, above the just cost of his keep, should be used to support such dependent family as he may have.

These resolutions were not revolutionary, but a natural evolution from the words which Elizabeth Fry penned a century ago in justification of her experiment in introducing work into the prisons of England:

No prison can be considered complete which does not afford the means of hard labor, which properly appertains to a reforming discipline of punishment. Some remuneration for their work, even during their continuance in confinement, will be found to act as a powerful stimulus to a steady and persevering industry. And if in laboring for this remuneration the poor criminal has also gained possession of the habit of industry, and has learned to appreciate the sweets of regular employment, it is more than probable that his temptation may never occur again.<sup>2</sup>

<sup>1</sup> Miss Boswell was also Chairman Industrial and Social Conditions Committee, General Federation of Women's Clubs, 1910-12, and Chairman Woman's Department, National Republican Campaign Committee, 1912.

<sup>2</sup> Elizabeth Fry, *Observations on the Visiting, Superintendence and Government of Female Prisoners*, pp. 48-53.

Labor was thus introduced as a boon, to supply the worker with a few necessities for sustaining himself and those dependent upon him. This reform, which caused the little Quaker woman to be hailed as the greatest philanthropist of her age, developed into a more definite problem as the industrial revolution took place. Change from hand-work to machine-work necessitated supplying both work-houses and penal institutions with new devices, so that the goods might compete in the market. Against the introduction of these machines, labor brought its full force, as part of the larger opposition to the new devices.

In the work-houses the labor movement was successful, not only in forbidding the use of machinery, but in suppressing competing industries. In the prisons the same was true, until the demand of the new industrial system for workmen pointed out to certain capitalists the pecuniary advantage of securing the work of convicts in return for supplying machinery and marketing the product.

In England, France and Germany the conflict was quieted by the limitation of the work of convicts for the most part to enterprises of the state, the construction of ditches and dykes, the building of institutions and the manufacture of state goods. In the American states, prison reformers were so eager in their advocacy of the congregate or solitary systems of housing the convicts and the building of costly model institutions which might be an example for the world, that it became difficult to combat the growing evils of the penal industrial system without placing upon the taxpayer a very much larger responsibility than he would accept.

During this period, the system of contracting the work of prisoners to business enterprises developed and, despite the graft incident to it, paid the state so well that the citizens were seldom taxed for the maintenance of the prisons. The conditions in these industries were often the cause of investigations, and one device after another was employed to calm the wrath of the labor unions, to appease the demands of the prison reformers for more humane treatment of the prisoners, and at the same time, while building the great institutions, to trouble as little as possible the taxpayer. New York State did away with the contractors in its prisons and supplied in 1894 a preferred market for its prison goods in its own institutions and departments. Laws were also passed prohibiting



any person from exposing convict goods for sale without a licence and requiring that such goods be marked "Convict Made." A violation of the branding and licensing laws was reported to me, and as chairman of the industrial and child labor committee of the New York State Federation of Women's Clubs, fearing that such violation would tend to interfere with the legitimate occupations of numbers of women, and indirectly force more children into work, I lodged a complaint with the New York State Commissioner of Labor, who assigned an expert of the department to make the investigation.

The findings of this investigation were briefly presented to the New York State Federation at its convention in Rochester by the Commissioner of Labor, who stated:

That the competition between prison labor products and the products of free labor has been so serious as to result in a forced lowering of wages of free men, and has tended either to drive people on the street or to lower standards of living; that New York State has endeavored to erect safeguards against the baneful effects of this competition by the enactment of branding and licensing laws; but that these laws, the Supreme Court has held unconstitutional on the ground that the branding and licensing impaired the market value of the product and went beyond the powers of the legislature, and that it violated federal and state constitutions.

Furthermore, in his annual report, the Commissioner of Labor urged the establishment of a national committee on prison labor which should undertake to deal scientifically with the problem and to gather the conflicting forces and center them upon a social program. The National Committee on Prison Labor was organized as the result of this recommendation, and it was in cooperation with this committee that the General Federation of Women's Clubs endorsed the bill introduced into the house of representatives "that all goods, wares and merchandise manufactured wholly or in part by convict labor, or in any prison or reformatory, transported into any state or territory or remaining therein for use, consumption, sale or storage, shall, upon arrival and delivery in such state or territory, be subject to the operation and effect of the laws of such state or territory to the same extent and in the same manner as though such goods, wares and merchandise had been manufactured in such state or territory, and shall not be exempt therefrom by reason of being introduced in original packages or otherwise." The

passage of this bill would simply make goods introduced from one state into another subject to the laws of the state into which they came, thus making constitutional such laws as the New York branding and licensing laws.

At the hearing in Washington, in March, 1910, on this bill, with Mrs. J. Ellen Foster, Mrs. Samuel Spencer, Mrs. John Hays Hammond and others interested in women in the industries, I represented the General Federation of Women's Clubs, and drew attention to the disastrous effects upon women's work of the competition of prison workers.

Another phase of the problem presented itself as the result of further investigation—the problem of the prisoner's wife and children. Illustrative of this problem are the following cases:

On the lower East Side of New York City, a woman and four little children under five years of age were found one bitterly cold day last November, in a practically starving condition, without means of heating the room and with only the thinnest of cotton garments. The children were so young that it was impossible for the mother to leave them to go to work, so the little family was entirely dependent on the more or less spasmodic efforts of charity, and it was doubtful whether the home could be kept together until the expiration of the father's sentence, while surely in Sing Sing his sufferings were less keen than those of the wife and children.

Minnesota legislation provides that the managing board of the reformatory may, in the exercise of its discretion, aid the wives and children of the inmates. The managing board has decided, however, that the law does not authorize it to furnish support to dependents living outside the state, thus relieving other jurisdictions from their obligation to support their own poor. Consequently one of the prisoners having an epileptic wife and two children in New Jersey was unable to afford them any support.

Nine prisoners, interviewed at random, in the Michigan state prison all admitted that they were married and had been earning at the time of conviction amounts varying from \$1 per day to \$2,000 per year, while in prison the highest sum earned was \$34 per year; all had children under fourteen years of age. In seven cases the wives were endeavoring to provide for their children, their earnings never exceeding \$8 per week and in three cases amounting to only \$2. One wife was a cripple and in another case it was

stated that the family was dependent on help provided by the Poor Commission.

These are but a few instances, but they show the definite need of working out some plan whereby the prisoner should labor while in prison, and his earnings above the cost of his keep, should go to those who are rightly dependent upon him.

Club women have carried on the agitation in many states. They have interested Vice-President Marshall, who, in his campaign literature, claimed the convict labor reforms as part of his labor record. They have interested Governor Cox, of Ohio, one of whose first official acts was the appointment of a special commission to study certain prison problems; in Maryland, Kentucky, Tennessee, Oregon and Washington, they have been specially active; and they will continue this activity until in all the states of the Union justice has been secured for the free worker, the prisoner and his family.

## WHY I COULD NOT PARDON THE CONTRACT SYSTEM

BY GEORGE W. DONAGHEY,  
Governor of Arkansas.

I have consistently fought the convict lease system since I have been in public office. In every public speech I have denounced it. As a member of the penitentiary board I have opposed it in every instance where it was at issue. Time after time I have pleaded with the legislature to abolish it, but in spite of my appeals for relief and the repeated protests of the people of this state and the messages transmitted by the governor to the past two general assemblies, all in condemnation of this cruel penitentiary and county farm lease system, no adequate relief has been given.

The subject has been grossly neglected by the general assembly, partly due to a confusion of ideas as to what plan was best to adopt, and partly due to a disposition by some to let the matter remain as it is, with the statement that "the penitentiary was not designed for a Sunday school."

In answer to such statements, let me say, nor was it designed for a revengeful hell. The abuse of power shown by a few individuals acting as justices of the peace in some towns in Arkansas, as is made plain by the records, is enough to stagger into amazement those who have given the matter attention. Ever since the adjournment of the last legislature, without taking action upon the subject, I have had in mind in some way myself to find some measure of remedy for the evil.

Last September I addressed a communication to the superintendent of the penitentiary asking for a list of all the convicts confined therein, together with their crimes, age, color, sex, terms of confinement, dates of conviction, and all other information concerning their penal history. This has been given me. I also sent a special agent to the county convict farms wherever convicts are worked under the lease system, and got the same information. Through these, and other sources, I have secured reports which are indeed startling, and but for the record in the cases, they could scarcely be accepted as truth gotten from official documents and personal statements among a civilized people.

Instance No. 1. In Phillips county, according to the court records, two negroes jointly forged nine orders for one quart of whiskey each. For this offense one of them was convicted for eighteen years and the other for thirty-six years. When the record of the circuit court convicting them was secured by me, I at once issued pardons for both of them. They had no one to appear in their behalf, and at the time I issued the pardons I was notified by the penitentiary officials that after serving nearly two years of the time, the negro convicted for thirty-six years had died.

Instance No. 2. During the year 1912 it was reported by the citizens of Malvern that while working near that town for a contractor on the railroad, a young white boy convict was compelled to work in the hot sun while he had a burning fever, that he was refused the necessary attention, and that the next day he died. Concerning this matter, it was published in the *Times-Journal*, a paper at Malvern, that information had been secured from the convicts that they were fed mostly on sour pork and beans, and were herded in cars at night, twenty-four or twenty-five men to the car, where they slept amid filth and vermin, and that the slightest complaint upon the part of any convict brought him a lashing on his back with a leather strap six feet long and four inches wide, and that men sent out from the walls, unaccustomed to labor, to work on the railroads were made to do the hardest work in the hot sun from the start; and that, if they lagged or showed inability to do the work they were thrown to the ground and lashed with a strap to the extent of ten lashes and sometimes as many as fifteen, according to the humor of the warden.

Instance No. 3. It was reported from Ward Station that, while working on the railroad for a contractor, a white boy convict, sentenced for a minor offense, was shot down and, after being delivered to the station to be transported to the hospital, while lying on the platform of the depot in the burning hot sun, his blood trickling down the planks of the platform, many people passed by and saw him. When he cried to the passers-by to give him some relief, the warden refused to permit anyone to go near him. He was transported to the hospital, and next day died. Concerning this tragedy, a local newspaper reported as follows:

This young white man lay in this condition for more than an hour. Finally about the time for the train for Little Rock to arrive, the warden said: "get up



and walk to the other end of the depot." The boy attempted to do so, and replied, "I can't walk." The creature, called the warden, said with a black oath: "d——n you, you have one good leg; get down there." They then dragged him to the other end of the platform and put him on the train.

We know of Nero and Otho, tyrants of the Roman Empire. We hear of the atrocities of heathen China. Did the Romans treat their prisoners any worse? Are the Chinese any more cruel to their prisoners? Let's draw the dark curtain and hide the crime—hide it for the sake of the name of "Beautiful Arkansas."

Instance No. 4. In Chicot county a negro was convicted for an offense not grave enough to send him to the penitentiary and was sent to the county farm to work for a contractor. He was fined \$250 and sentenced to six months additional imprisonment, all of which would have required his labor for more than two years to satisfy. In the petition that was filed with me for his pardon and signed by a number of leading citizens, including the circuit judge of the district, the statement was made that the negro's flesh had rotted from around his ankles because of the shackles he was forced to wear while working and that "said Goode is in an extremely bad condition physically, due to the inhumanity of the said contractor . . . that his legs are in a wretched condition from the effect of the continuous wearing of shackles since his confinement both day and night."

Instance No. 5. On the Jefferson County Convict Farm, I found a negro that was sent up from a justice of the peace court for 1,244 days for petit larceny.

Instance No. 6. A negro from another justice of the peace court in the same county, 319 days for petit larceny.

Instance No. 7. In the same county another negro was found serving 1,481½ days for petit larceny and carrying a pistol.

Instance No. 8. In Mississippi county a negro was found serving a sentence of 180 days for disturbing the peace.

Instance No. 9. In Craighead county a white man was found serving over 200 days for assault and battery.

Instance No. 10. In Miller county a negro convicted in a justice of the peace court was pardoned by me from serving a sentence of over three years for stealing a few articles of clothing off a clothes-line. He had served more than a year of this sentence when pardoned.

These are only a few typical cases. If they are not enough, an examination of my files will show many more.

There has also come to my office much complaint about the abuse of power by certain justices of the peace and the bad treatment of county convicts in Pulaski county, but at this time Pulaski county is working both her state and county prisoners on the roads or for the roads. Judge Asher has informed me that while some farm work is done by the county convict, it is done for the support of the convicts on the roads.

The management of the penitentiary has done the best it could in making investigations of these charges, and has caused the discharge of employees for permitting cruelties. They should not be blamed for such outrages, for reasons hereinafter stated. This board has no control of the county convict farms.

Anything but an iron-clad law for the care of the penitentiary and for its administration will be of no protection to the state and the inmates of the penitentiary. Under the conditions existing for the past several years, the state convict farm has been too small for the employment of all the convicts in the penitentiary. Under the imperfect statutes for working convicts on the roads of the state, not enough counties can avail themselves of such an opportunity. Under the law the penitentiary must be self-sustaining. Hiring out convicts when it is considered not practicable to work them directly for the state, is permitted. But the penitentiary management is enjoined to work them under the guardians of the state, the state to feed, clothe, and provide medical attention and otherwise to care for the convicts. Apparently, this is ample protection. But is it? Let us see.

Employment by the railroads of the state for the convicts has been considered the most profitable to the state when hiring them out, affording cheaper safe-keeping for the convicts and being more practical for the management of the penitentiary. Yet, while the convicts work for the railroads, the system in practice is that the railroads will not hire them from the state. All efforts to get them to bid directly for the employment of the convicts have so far failed. But a general contractor hires them. Usually but one man will make a proposal for their hire, and after closing up the deal for all the state has to let, he becomes distributing agent for their labor, and whoever may want them must deal with him.

Sometimes this contractor deals with the railroads himself. At other times he hires the convicts to a second contractor, who in turn hires them to the railroad. The state secures a dollar a day for each able-bodied convict. The railroads pay from \$1.50 to \$2.00 per day to the contractor for them. Just why the railroads will pay the contractor as much as \$2.00 a day for the convicts when they could get them from the state for \$1.00 or at most \$1.25 per day is beyond my scope of knowledge. In round numbers the state has lost \$40,000 of money the contractors agreed to pay it for convict labor during the past four years. No way has been found by the legal department of the state to collect this debt.

Convicts do not fare as well on the railroads as they do when working on the state's farm or on the public highways. Three-fourths of the cases of sickness and death originate in railroad camps. It costs the state much more to maintain them in railroad camps than it does either on the farm or on the public roads. In profits the farm yields the most revenue. On the public highways there is no cost to the state at all, while the communities get the benefit of the roads. When on the farm there are fewer escapes, and fewer guards are required. On the railroads, notwithstanding the large force of guards maintained, there are many escapes, and from this work many of the worst convicts in the penitentiary have gained their freedom, sometimes only temporarily, but often permanently. If they are recaptured, it is after the state has offered a reward. One-half of the convicts in the penitentiary, with the proper management, could be worked on the state's farm or on the public roads without guards at all. This is now being successfully done in other states with a worse class of criminals than we have. This being true, the expense can be very much reduced. But to do it, our laws on the subject will have to be rebuilt and specialists in the study and treatment of criminology employed.

But one of the chief reasons for continuing the lease system and existing laws has been the excuse that, with the large number of convicts we have, there was nothing else that could be done but to hire them out to contractors, especially since the penitentiary was in debt.

At this time, however, the penitentiary is out of debt. From the study I have made of the subject, and the information gained during the last four years as a member of the penitentiary board,



I am convinced that satisfaction to the state and the necessary protection to the convicts can never be had under the operation of such laws and such system as we have.

When the amount of labor performed by the convict is to be judged by personal interest, we can easily see how he may be imposed upon in the exaction of his tasks. On the other hand when the state is the only party in interest and the only one to be satisfied, there could arise no condition under which convicts would be underfed, badly treated or overworked.

Then, because of these existing facts and conditions; for the purpose of creating a new condition by which a just and iron-clad law can be passed for the abolition of the lease system; for hereafter putting all the convicts on the public highways of the state and on the state's farm; for reducing the number now confined in the penitentiary so that this result can be brought about; and to remove the incentive for the formation of an opposing lobby to fight such a plan, and at the same time to leave an adequate number of convicts to cultivate the state's farm, and to continue the improvement of the farm, I selected from the list of convicts confined in the penitentiary and on the county farms of the state the names of three hundred and sixty individuals. These all, on the 17th day of December, were pardoned, on condition that they become good citizens and violate no laws of the state in the future, and on the further condition that if they again violate any laws of the state they are to be returned to imprisonment to serve out the remainder of their terms without further process of law or expense to the state for court trials.

The convicts thus selected as beneficiaries were in the main those convicted of minor offenses and having short sentences. Some, however, were under conviction for graver crimes and longer terms. But practically all of these had served at least half their time, when considering the commutations given them under the law for good behavior. A few only were included in the list having reasonably long terms and short confinement. In such cases the judges of the court of conviction, or good citizens, had interceded in their behalf, giving good reasons for parole, and for that reason I had placed them on the list. In selecting this list of convicts, in my judgment I had not pardoned anyone not justly entitled to a pardon under the conditions named.

But my principal reason for discharging the large number was for the purpose of forever breaking up the convict lease system in this state. I would be untrue to my convictions, and, as I see it, untrue to the state's best interests, if I did not do everything in my power to bring about this result.

As before stated, there are enough convicts left to cultivate and improve the state's farm for another year. In the future, as the population of the penitentiary increases, all other convicts should be set to work on public roads. No convicts should ever, under any condition, be permitted again to be hired out or leased to a contractor.

The penitentiary can never be successfully managed until those who are charged with that duty have time enough to do it and are held responsible for that work and nothing more. It is as ridiculous to exact the enormous amount of detail work as is now required of the state officials composing the penitentiary board, in the management of the penitentiary, as it would be to put the management of the same institution under the faculty of the state university and require that body to do it. A state officer is not now elected by the people because of his knowledge of penology or fitness to care for criminals. Nor if he possessed such knowledge, would he have time to attend to his regular official duties and look after the details of the penitentiary too.

During my four years in office, the penitentiary board as a whole has not had time to visit a single railroad camp in the state. The board as a whole has not had time on over one occasion, as I remember it, to visit the state farm. As a body, all together it has not had time even to visit the walls of the penitentiary, near the City of Little Rock. There is not a single member of the penitentiary board now who has the necessary time to do all the work expected of him, and which he ought to do in the office to which he was elected.

The management of the penitentiary should be put in charge of a board of three competent men, appointed by the governor, and the governor should then be held responsible for the conduct of its affairs. This board should become acquainted personally with all conditions connected with the penitentiary, and with all prisoners, their records and penal history. It should recommend to the governor all pardons necessary to be granted, and the governor

should appoint such men as would inspire sufficient confidence to cause him to issue pardons on their recommendation only, without having to be worried to death while in his office listening to the appeals for pardon, which require at least three-fourths of his time. No convict should be imprisoned on a county convict farm under a contractor. County convict farms should be abolished altogether. If a convict cannot be worked on the public roads, he should be sent to the penitentiary. All convicts imprisoned for ten years or less should be sentenced directly by the courts to work on the public roads. If there are no public roads under construction in the judicial districts where the convictions are, they should be sent to some other district where road work is being done and where the equipment is sufficient to care for the convicts.

In concluding what I have to say upon this subject, permit me to suggest that I favor law enforcement. That I have been conservative in granting pardons. That I have not been unduly exercised from sentimental causes. That I have not issued pardons for political favors. That much of the opposition I have had has been from parties disappointed in securing pardons. That I believe it is right and just to punish criminals in severity and terms of confinement according to their crimes. But enforcing law by putting criminals in the penitentiary and then selling their flesh and blood to contractors after they have been bound and manacled in chains, under such conditions that the contractors are enabled to make fortunes, while from cruelty the lives of the convicts are snuffed out, is a different matter altogether.

Such abuse of power is a reflection on our intelligence, a repudiation of the principles of civilization, a crime against humanity, and, if continued, will cause a forfeiture of that respect which a state should maintain among the sisterhood of states of this nation. In a commitment which accompanies a convict to the penitentiary there is an implied judicial guarantee that, though he is deprived of his liberty as a citizen, he is still granted the right to live and to be cared for in a manner commensurate with sound reason, good judgment and human mercy. The state does not intend, nor should it longer permit, conditions to arise by which convicts may be subjected to such treatment that their imprisonment carries the combined penalties of loss of liberty, hard labor and severity of punishment until death itself may end their lives. If for the protection

of the state and the preservation of society the death penalty must be given, the courts and juries are the proper forum from which it must be pronounced. No civilized body of people on the face of the globe now authorizes death by oppression, or any other method except that approved by the most humane process and such as will give the least pain and the quickest death.

It is for the correction of the injustice herein named that I have taken the action I have in discharging the large number of convicts reported.

## PREVENTION OF CRIME

BY ADOLPH O. EBERHART,  
Governor of Minnesota.

It has been stated by an eminent authority on penology that the aim and nature of all prison discipline is, first, the protection of society and, second, the reformation of the offender. While this is true as to prison discipline, it represents only one obligation of the state to society. It is recognized to-day by all authorities on penology that one of the most important duties of the state to society is that of removing the causes which contribute to the commission of crime. Minnesota has taken a leading part in the care and treatment of the unfortunates in penal and charitable institutions. We are now building one of the most sanitary and modern prisons in the world and the management of that institution is admittedly one of the best in the country. In our prison and reformatory we have made provision for the employment and compensation of the prisoners and in many cases where families are found dependent upon prisoners, a certain portion of the prison's earnings is paid directly to the family. No state in the Union profits more by the labor of its prisoners, and it can, therefore, afford to be liberal in the payment of compensation, so as to provide for dependent mothers and children, who, through imprisonment of the husband, have been bereft of family support.

The one great principle involved in the prevention of crime is the maintenance of the home through which the children can be provided for, kept in school and given suitable recreation and employment. When the family is broken up and the children permitted to drift upon the streets without supervision, recreation or employment, it is only a question of time when some of them will finally stray away, drift into error and crime and land in our penal institutions. If there is anything that reflects discredit upon America it is the fact that our homes are so easily broken up, marriage vows so readily dissolved and the children permitted to pursue their own course without supervision or restriction. Any legislation, therefore, which will tend to keep the home intact and bind its members more closely



together, keep children under proper supervision and guidance, promote health, and assist in securing wholesome recreation and employment, will have a direct bearing upon the lessening of distress, poverty and crime. Where the parents are found unable to take care of the children, they should be given suitable assistance, for it costs the state only about one-half as much to assist a worthy mother in the care of her children as to provide for them in a state institution. Every effort, therefore, on the part of the state to lessen and prevent crime must be centered about the home.

Perhaps there is no reform more urgent to-day than the penal or workhouse farm. In examining the records of our workhouses, I have found cases where men have been committed more than thirty times. Whenever an offender does not reform after working out two or three sentences in the workhouse, he should be sent to the reformatory or prison. All workhouses should be provided with a large farm or such other means of employment for the inmates as will afford the least competition with free labor. The employment of short term convicts upon farms has been proven an unqualified success. In the case of a large city the produce could be either sold on the market or to other city or state institutions. Every convict should be permitted to earn fair wages, a portion of which should go to the maintenance of the institution and the remainder directly to the family or other dependents. Often in our large cities, when the father has been sent to the workhouse, the family is without support and the mother is compelled to go out on the street that she may secure sufficient work to keep her children from starvation. No one is left to take charge of the children. They drift away from home, fall into bad company, commit some crime and finally become charges of the state. The neglect of the city or the state to provide compensation for its prisoners and to turn over a sufficient amount of that compensation for the support of the family surely is a policy best designated as "penny wise and pound foolish."

Because of this negligence on the part of the state many efforts have been made by public and individual charity to support the mother and children and to keep the home intact. Some cities and states have provided a system of pensions for dependent mothers. This system is undoubtedly valuable when properly administered in providing temporary relief, but it does not reach the root of the evil. The arguments in favor of such a public charity are numerous. It

is claimed that the private charity organizations are too numerous and consequently more expensive in administration; that the pension system is more certain and permanent in providing regular income to the mother which will better secure the education and training of her children; that the state has more power in the regulation of health and sanitation, and that under its extensive system of schools and institutions, it can better assist the mother in directing and training her children; that the mother is entitled to secure this assistance from the state as a matter of right, and that it is the duty of the state to give it to her; that private charity is insufficient and that the state is better able to cope with it. On the other hand, it is argued that this pension system opens the public treasury to those who believe it inexhaustible and who otherwise would not depend upon it; that it will have a tendency to stop individual giving and the establishment of individual charities; that there is too much publicity connected with public charity, and that it necessarily parades the unfortunate before the people; that it is difficult to enact a law which will be sufficiently elastic to apply justly in every case; that the state has no agency which can properly administer this charity, except where specially created for that purpose, in which event the method of selecting officers is too cumbersome and too dependent upon change of political administration.

The obligation resting upon the state cannot be satisfied by the payment of these pensions. Where the husband has deserted the family, the strong arm of the law should reach him and compel him to contribute to its support, and where the husband has been committed to a penal institution, he should be employed and a sufficient portion of his compensation be allowed the family for support. It is of greater importance that the slums of the city should be removed; that parks and playgrounds for the children should be provided so that the children of the large cities may have an opportunity to play and develop under more wholesome conditions than they are afforded to-day. When the state has removed the opportunities for, and the temptations which lead to, the commission of error and crime, when the environments of the city are made more wholesome and attractive, the criminal records of the state will not be burdened with the sad story of so many boys and girls who have gone wrong. In ancient times a very unique test of sanity was employed. The person to be adjudged was requested to dip out water with a dipper from a tub

under an open faucet. If he kept on dipping he was committed, but if he turned off the faucet, he was adjudged sane. We shall always, perhaps, be compelled to dip out water by increasing the capacity of our penal and charitable institutions, but I am in favor of turning off the faucet by removing the causes which to-day are responsible for most of our poverty, disease and crime.

## REFORM THROUGH LABOR

BY EUGENE N. FOSS,  
Governor of Massachusetts.

In Massachusetts—and in other states as well—it seems to me that far too much stress is laid on long-term punishment, and far too little on remedial or corrective measures. In my inaugural message I urged that immediate steps be taken to prevent such a large and increasing number of persons from losing the power of self-support either through mental, moral or physical sickness. By moral sickness I meant to include all sorts of crime. I believe that a healthy man, well educated, healthily employed and free from inherited taint, has very little incentive to crime.

With the wonderful progress that is being made in the study of heredity, and with the present satisfactory condition of public health, the average man now starts out in life with a pretty fair chance. Our jails and prisons are not crowded with defectives; nor with the second generation of criminals. They are filled with unfortunates who have once fallen, often through accident, and who never again get planted firmly on their feet.

For such men, victims of their own weakness or of cruel conditions, there must be some hope for cure. Yet a study of jail commitments, here or in other states, shows a terrible record of second commitments. Men get out of jail or prison. But to their original taint is now added the taint of the prison; and they go back to confinement with less effort at self-restraint than they used at first.

The medical world would rise up as a body to condemn any method of medical treatment which left the patient more liable to a recurrence of the disease than he was to its first attack. And yet, everywhere men are being sent out of prison, with the prison pallor on them, penniless, weakened in body by unwholesome conditions and broken in spirit by the withdrawal of all hope, ambition and self-confidence.

They have been trained by prison discipline, but it is often a discipline which in itself is a punishment and which does not fit them for the conditions they must face when they are again free. They

have moved by iron rules; been regulated like clocks; but not encouraged as men or stimulated to take up the personal responsibilities of self-supporting, self-respecting freedom.

When a man gets well of a fever, even the clothes he wore are buried, but when a man gets out of jail the arm of the law hangs over him, like a policeman's club, and he never again has the sense of being quite a man, with the taint of prison quite removed. From the very instant he enters the prison walls he is different from his fellows. The law seizes upon him, measures him up and labels him, and he becomes, not a man working out his own reformation, but only "Number 110, second row of cells."

In sharp contrast to all this, an intelligent young prison employee came to me the other day and pleaded that if ever a man is going to be helped in prison, the time to begin is when sentence is passed upon him—before he is measured, numbered and put away. He said you could save his personality if you kept on a little longer treating him like a man.

I have been wonderfully impressed by the success of Judge Lindsey's Juvenile Court in Denver, and by similar methods which have been applied in other western cities to grown-up offenders. In some places criminals are sent to jail with no guard, going freely on their honor; even when they reach the jail they find no prison wall, no armed guard waiting to shoot them down, but only a chance to test their own manhood again: a chance to live in a wholesome place, with sun and air, fair treatment and every incentive to regain their own self-respect. I realize that these measures are extreme, and radically opposite to the customary prison methods; and it may be necessary to proceed cautiously in following them. But they have proved effective, and they promise the only hope of betterment that I know of.

We can begin to work toward them by gradually abolishing our city prisons, with their dark cheerless interiors, and building our future houses of correction out in the country where the sun and the wind can get in, and where all the men who do not forfeit such right can work in open fields. There's nothing dangerously radical in that! For surely it does not help a criminal's reform to take the color of health out of his skin and the strength and elasticity out of his muscles through confinement in stone cells.

Gradually the idea is growing that crime is not only to be pun-



ished but cured. Not merely punished after it shows, but forestalled and headed off before it gets a hold. We are beginning to realize that the only power we have in the world that counts for anything is the power of self-reliant manhood and womanhood. Probably no child ever went from its mother's arms out into the world that did not have at least a spark of that power within him. And we are beginning to see that it is the function of our courts and our correctional institutions to foster that spark and never to snuff it out.

Again I hope to see a wider use of the indeterminate sentence. I believe it is the very essence of good policy when wisely used. Take the case of a man who is sent up for some small offense by a rigorous court; he listens to the judge, and remembering some similar case where only a few weeks were imposed, he hopes for sympathy and a square deal. It is enough to freeze the heart in him when he hears a sentence of ten years imposed upon him. Instantly he feels that society is his worst enemy; that all men are against him, and the chances are that the thought of murder is formed in his mind for the first time when he knows himself to be the victim of such unequal justice. When he does get out it is only to prey upon society and get revenge for what he honestly believes to be his "wrongs."

An indeterminate sentence, on the other hand, causes hope instead of despair to spring up—and the criminal is led to feel that his future is partly in his own hands. That helps to keep his hopes and his self-respect from utterly dying out, and, though he is no less a convict, he has at least a fighting chance to regain some of the ground he has lost.

There is one more matter of great importance and that is the matter of work. No man, even with his full freedom, can long remain healthy and happy unless he has work to do. Not brutal, dogged work, but interesting, helping, successful work. It may represent a very small daily profit, but it makes little difference, provided it furnishes material for mind and body to work upon and suffices for his support. And I fail to see why the same is not true of the man in prison. He may not be free to roam about; but at least he ought to be free to do something within the limits of his ability which will produce useful results. The work forced upon him may be so foreign to his personal "bent" as to be only an added punishment; but

every man, in prison or out, who is worth thinking about, wants to do some sort of work and will, if he gets a chance.

Therefore I hope to see the reformation of prisoners helped out more generally by useful activity, considered as an actual means of helping them, planned and conducted for that purpose. Too often prison industries are regarded only as a financial help to the institution, and men are forced to work as part of their sentence and not as part of their cure. Too often, in one state after another, and we in Massachusetts are not wholly blameless, the labor of the prisoners is donated to an agent or contractor, as something without value. Work done under these conditions is a curse and not a cure. It is necessary, if we are ever to have in America a sane and hopeful system of penology, that all able-bodied prisoners be given the opportunity to work at something that will help restore their sense of usefulness and responsibility. Even if a man never gets out of jail he will live and die a better man for simply being busy at some simple thing which he can do well.

Such a proposition must be considered from the most level-headed viewpoint; there must be nothing visionary or sentimental about it. It is a clean-cut matter of what might be called medical treatment applied to the moral nature of a man. And there is a very practical limitation to it. No prison industry ought ever to come into competition in the markets with the labor of free men, as is often the case. The safe, middle ground is to use the labor of our prisons and reformatories to create merchandise to be used in all public and charitable institutions where it will never reach the general market at all. That system is succeeding well in New York, and I understand that it has the hearty endorsement of the laboring men of the state. We have fragments of the system here in Massachusetts, and I hope to see it applied uniformly throughout the institutions, to the exclusion of every other method.

Some definite scale of values ought to be fixed for prison labor, in accord with the individual's ability. The prisoner ought to know that what he does actually counts as something of definite value. That is the best moral incentive he could have to do still better. That helps to make a man of him, if he has not already gone or been forced too far down. I do not propose for a moment that any prisoner should receive cash wages. But if he earns a profit over the cost of his keep the money can be used to his advantage.

For instance, a fund can be built up to help him reestablish himself when he gets out; or if he has a family, something can be paid to keep that family together while the man is in confinement. I can imagine nothing that would give hope and courage to any sort of a man so much as feeling that he had not lost his usefulness, even though he had lost his liberty. I think that nothing would help a family man so much as to feel that, though he had fallen, he was still the husband and father of his family, working for them and for the chance to regain his standing in the community where they live.

These points upon which I have barely touched I believe have to do with the very foundations of society and that it rests upon us as citizens to fight for these reforms. The medical profession no longer concentrates its efforts upon the cure of disease, but upon its prevention. And the same thing must be done with all moral maladies. We must get at the future criminal in the very inception of his criminal acts; we must seek to keep the spark of self-respect alive and help him back rather than push him on by breaking down his manhood.

## NEW THEORY AS TO PUNISHMENT OF CRIME

BY HERBERT S. HADLEY,  
Governor of Missouri.

It is during the course of only the last ten years that the people of this country have begun to recognize the necessity of some change in our system and method of punishing those guilty of criminal offenses. We have pursued the mistaken theory of punishing the crime committed instead of dealing with the person who commits it. We punish the offense instead of trying to reform the offenders, or to correct the conditions which produce them. The result is that the population of our jails and of our penitentiaries is increasing more rapidly than the population of the country. There can be no denying the correctness of the conclusion that something is wrong with the conditions of society and of industry and with a system of punishment for crime which produces criminals relatively more rapidly than the increase in population. A continuance of such conditions unchecked must eventually result in the overthrow of organized society and of government itself. It is only within the last ten years that there has been made any effort to correct this dangerous tendency.

Missouri enjoys the doubtful distinction of having the largest penitentiary in the world; that is, we have a larger number of prisoners confined within four walls than is to be found in any other state or country. This is because the state has failed in its manifest duty to establish a state reformatory for juvenile and first offenders. The Training School for Boys at Boonville has become little more than an institution for delinquent and deficient children. The influence of those interested in prison contracts, and of those who have acted upon a false theory of economy, has, in the past, prevented the establishment of a state reformatory. The result is that there are, approximately, 600 boys twenty-two years of age and under confined in the penitentiary, daily associated with experienced criminals. After serving a term under these conditions the chances are that the young offender will follow a life of crime. The establishment of a state reformatory would not only provide a place

where these boys, most of whom are accidental or unintentional criminals, could be confined under conditions and given instruction which would have a tendency to make them useful and law-abiding members of society, but it would also help to solve the present prison labor problem.

By the act of the last general assembly there was a declaration of the intention of the state to abandon the present contract labor system.<sup>1</sup> Unless that policy shall be changed, which I hope will not be done, there will, during the course of the next year, when those contracts now in existence terminate, be something over 2,000 men and women in the penitentiary for whom employment must be secured. It would be inhuman and barbarous to confine them in idleness. The chief difficulty is to find some employment in which prison labor will not be brought into competition with free labor. The policy of employing convicts upon the roads is an advisable one, but, owing to conditions in this state, it is doubtful if more than a small portion of the convicts in the penitentiary can be so employed. As far as feasible the prisoners should be used in the building of public roads, and the experiment of Cole county under the act of the last legislature, will, I hope, in time, lead to the employment of an increased number of convicts in this work in other counties. The question of prison labor was quite thoroughly investigated by a special committee of the state senate of the forty-fourth general assembly, of which former Senator F. M. McDavid was chairman, and the recommendations of that committee are deserving of consideration. My suggestions upon that proposition, in addition to those already made, are:

The purchase of sufficient land for a reasonably good-sized farm, with provisions for industrial training in a state reformatory.

The making of supplies for the different state institutions and departments, in both the penitentiary and the state reformatory.

Further, I believe there should be purchased an extensive tract of land upon which convicts confined in the penitentiary can be employed. The price of farm products is controlled by world-wide

<sup>1</sup> The contract system, after the expiration of existing contracts, and the public account system, except in the case of binder-twine, are prohibited. The working of 300 state prisoners on state roads is allowed. Hard labor, eight hours a day, is prescribed as a means of industrial training and the production of supplies for the state and political subdivisions, including all the public offices and institutions, together with building material therefor, is authorized. Beginning April 1, 1912, at least 300 convicts shall be added each year to the number thus employed until all are employed. *Laws 1911, S. B. 23.*



conditions and prison labor thus employed would not be brought into competition with free labor. Such labor would also have a tendency to improve the physical health of the prisoners and that in time will also tend to improve their intellectual and moral health.

In addition, I believe there should be established at all state institutions possible a plant for the production of ground limestone for fertilizing purposes. While there are a number of private concerns manufacturing this product, which would doubtless object to this plan, the freight rates and the low cost of this product are such as to make its shipment for long distances practically prohibitive. The value of ground limestone as a fertilizer of soil has been conclusively demonstrated.

I believe that an investigation of the management of the penitentiary and the treatment of those confined there during the last four years will show that as good results have been secured as were possible under existing circumstances. The physical condition of the penitentiary has been greatly improved. With a slight increase in cost there has been a marked improvement in both the quality and the variety of the food, with a considerable improvement of the health and disposition of the inmates and the lack of the necessity of discipline and punishment. The records show that the cases of sickness during this time are far less than during any similar previous period. And I am assured by Captain Porter Gilvin, who has been connected with the penitentiary for over twenty years and who for seven years as deputy warden has had charge of the discipline, that the number of cases of punishment during the course of the last four years has decreased over fifty per cent. Stripes have been abolished and a suitable uniform substituted. The guards have been uniformed and special instructions as to the duties of their position have been given. Corporal punishment has been practically discontinued. No outbreaks or acts of general insubordination have occurred during that time, although in former times they were not infrequent. I heard the statement made by Major McClaughry, the warden of the federal prison at Leavenworth, Kan., one of the best informed men on prison conditions in the country, that as much improvement had been made in the conditions in the Missouri penitentiary as was possible to have been made within that length of time.

Further improvement, however, demands a change in condi-

tions. One of the most important improvements demanded by conditions in the penitentiary is a tuberculosis hospital or building in which the prisoners afflicted with tuberculosis can be confined.

I have given thus somewhat in detail and at length the facts as to prison conditions and as to the policy that has been pursued by me in the granting of executive clemency, not so much to justify the course that I have pursued, or to answer the criticisms that have been directed against it, as to suggest needed changes in dealing with the problem of punishment of crime and the prison labor problem in this state. The policy that I have pursued has been absolutely necessary from the standpoint of the public welfare in the absence of a board of pardons and paroles and a state reformatory.

The chief executive should, however, be relieved from the burden and responsibility of dealing with these cases. By virtue of his position he is generally regarded as the leader of the political party that nominated and elected him. For this reason he is peculiarly subject to and liable to unwarranted and malicious attacks by sensational and unscrupulous newspapers for granting executive clemency to those convicted of crime. And it is easy, by a failure to publish the facts upon which clemency in each case was based, to mislead and to prejudice the public mind against a proper policy of executive clemency. If this work was done by a board of pardons and paroles, the decision of such a board would assume something of the form of a judgment of a court. And, in addition to providing a better and a more complete investigation of the merits of the different applications, such a board would be to a large extent exempt from unwarranted attacks and misrepresentations to which a governor is liable to be subjected. I also believe that such a board should have the control and management of the penitentiary and the other penal and reformatory institutions of the state, together with the power of appointing the warden or superintendents of these institutions. Under the control of such a board these institutions could be more effectively and economically managed, and the members of the board would thus be better informed and better qualified to deal with the question of clemency of those confined in such institutions.

By the adoption of each and all of the suggestions herein made I do not, of course, expect that the commission of crime in this state can be brought to an end, or that there will at once be any

appreciable diminution in the number of offenses against the law. But in the course of a period of years such a policy, if pursued in this and other states, will of necessity bring about a correction of the present alarming increase of crime in this country. And what will happen if this tendency is not checked is easy to foresee. The system of punishment that has been pursued in this state, and, until recently, generally in this country, has in a great majority of cases sent forth from prison those who have been confined there broken physically, mentally and morally, and worse enemies of society than when their punishment began. Such a system is clearly a wrong one. No system of punishment, in fact, is justifiable or a benefit to society unless those punished are at the end of their confinement better men physically, mentally and morally, and less enemies of society than when their punishment began.

## THE PROBLEM OF PRISON LABOR

BY OSWALD WEST,  
Governor of Oregon.

The prison labor problem, like the poor, seems to be ever with us. It was yesterday's problem, it is to-day's and will undoubtedly be to-morrow's. The yesterday of the problem was not so serious, for it was an easy matter to toss the poor criminal into a dungeon to die of disease and famine, or to make a slave of him, social conscience neither accusing nor excusing. The to-day of the problem is witnessing the dawn of a new awakening of social and industrial responsibility unfelt before. Who shall say what the to-morrow of this problem shall be? That it will be a trying problem is assumed. As long as we have crime and criminals, and they are not growing less, we shall have to face the essential problem of the prison—labor.

To teach the untaught criminal to work, and to keep him at it; to keep peace between contending laborers within and without prison walls; to make prisoners pay their way in dollars and cents and not ruin the prisoners; to dispense justice in the social and economic realm of the prison world; to satisfy the insatiable whims of the idealistic reformer who wants perfection of system immediately if not sooner—all this is called for to-day in our prison problem. In the face of such a task we must confess that we may hope for no more than simply to qualify in the race, and rather expect to be distanced in the conclusion.

There are things which delay the solution of the problem. While we know this solution will come to-morrow—in the to-morrow that never comes, which still is always arriving—there are checks and hindrances which are trying indeed. In the first place, lack of knowledge is a great handicap in the unraveling of the tangle. We have our National Committee on Prison Labor which has done well in gathering the facts for us; our social students are doing not a little of a sort of telescopic observation, but we are still waiting for a fuller classification and analysis of facts. The science of penology is new and uncertain as a science. It is growing, but it is slowly

growing. We are still in the penumbra of ignorance and prejudice, hoping that the eclipse will soon pass. And while we wait we trust the state and nation will not fail to encourage the splendid work of our scouts—our commissions and social students who can and will bring the needed light.

But ignorance is not the only thing blocking our way. It is sad to relate that the demagogue is abroad in the land, stirring up prejudice and antipathies. Prison systems and policies can well stand the honest and truly patriotic muckraker, but calamity comes when this petty and detestable muckraker wants to favor his own personal interests at the expense of every one's reputation and even the welfare of the state. One great hope cheers us here: they that be for us are greater than they that be against us. It is altogether fitting in the face of this enforced delay to study and to confer, to watch and to wait, to possess ourselves in hopeful patience.

At the outset it seems to be the essential thing in the consideration of prison labor [to] state in some sort of a comprehensive way what the phases of the problem are. As a kind of finger board to point the arbitrary way I take, let me indicate them thus:

1. The putting to work of every prisoner in all our prisons.
2. The keeping of [him] employed in the face of narrow politics and hot competition.
3. The providing of such employment as will produce the best result upon the criminal and bring the best returns to the state.
4. The following of the lines of least resistance as long as we can deal honestly and still get results.

Here are four phases of the general problem of prison labor. Under one covering we have here, as it were, four nuts that we shall find hard to crack.

Our first task is the evident one of getting every prisoner in all our prisons to work. In this day of enlightenment, it does not seem that it should be necessary to insist upon such a procedure. But when we consider the fact of the enforced idleness, or at least half-idleness in our prisons, and especially in our county jails, we must insist that the first task before us is to see to it that every prisoner in all our penal institutions gets busy. Eight months ago when some of the responsibility of our state penitentiary at Salem fell upon me, over one-third of the men at that institution were passing dreary days in enforced idleness; they were rotting in their cells,



smoking their heads off in a desperate effort to kill time. This enforced idleness which has been so prevalent in our prisons is utter folly from every standpoint. It ruins men. It costs the taxpayer. The ordinary criminal does not find it to his liking to be thus shut up in his cell. The tramp on the outside of the prison wall thinks he wants surcease from toil, and, strange to say, he usually works hard for it. But when it is handed to him in the allopathic doses of the ordinary prison, he begs for the chance to work. And he ought to have the chance. "Labor was the primal curse," Cowper tells us and adds this significant saying, "but it softened into mercy, and made the pledge of cheerful day." Labor is absolutely essential for the full development of the criminal. Just note what happens when the usually untutored, unskilled convict goes to work. He learns to use his hands, he becomes an artisan; he learns to be a co-laborer, his social life is unfolded; he learns application and his moral nature is strengthened; he lifts his head in pride over a task well done; he comes to himself to save himself. That such development is needed, and is really being wrought out, is to be witnessed where this system is employed. That such helpful influences should ever be withheld from the needy criminal is utter folly.

The second phase of the general problem is that of keeping the prisoner at work in the face of trying opposition. It seems a strange thing indeed that any one should desire to withhold the privilege from another of producing something that the world wants and needs, but strange things do happen. We are told that for the last one hundred years there have been those who would like to produce a non-producing unit of the criminal, or eliminate his product entirely from the commercial world. Just now perhaps the greatest aspect of the prison labor problem is that of its difficulties in competition with free labor. But the deeper I go into the problem the more I am convinced that this great cloud upon the horizon has little storm in it. From the cries and prayers that have come to me during the past eight months of my office, I think I see the difficulties, and from my own knowledge of the case, I think, too, that I can see behind the difficulties the clear sky.

May I state these difficulties in this three-fold way:

First, there is the manufacturer without the prison walls, who has been looking with envious eyes over the fence upon the manufacturer working within. He has seen what seems to him unfair

play, and I hasten to say under some of our present systems he is often unjustly discriminated against. He sees the state or the corporation getting labor for nothing, or nearly so. He often sees free rent and free power. But the most exasperating of all, he sees no way to secure this productive franchise except by "System's" method of "long green." Of course, all these conditions do not often prevail, but there is usually enough of them present to mar the game of open competition.

In the next place, free labor has its hue and cry, and they, too, not often without cause. Those who know anything of the labor situation, know that, even though the prison competition is small, still it is sufficient as a disturbing factor. It is not the volume or the percentage that plays havoc, but the nature of the competition. Markets are flooded with cheap and shoddy goods, and consequently the most needy unskilled laborer who has previously manufactured these goods is thrown out of employment. But the most serious damage is the lowering of the living which transpires because the prisoners are state-fed, and their families, if they have any, are usually taken care of by charity. With labor so cheap the state or the lessee has too much of a chance for monopoly in many quarters, and we have seen the state become a rank monopolist, notwithstanding the public feeling of hatred for such a thing.

In the third place the difficulty of keeping the prisoner at work arises from an overzeal in securing money for the running expense of our penal institutions. Prison managements have too often arrogantly defied all labor organizations in haste after the dollar. It is simply robbing Peter to pay Paul. Free labor has a right to resist the proposition of being preyed upon to save the taxpayer, coddled with that bit of sop that it does not matter, for "at last labor pays all the taxes." Prison boards and officers are servants of the state and ought to serve the prison to help it serve every one in the state. They ought not to set themselves up in business as rivals or competitors in the crowded markets, forcing their goods on to the market, which, although cheap, are still undesirable because they are too cheap and disturb the markets. The zeal of the superintendents and the prison boards ought to be matched by a safe and sane discretion in choosing the industries which will help and not hinder trade.

But I am chiefly concerned in giving my reason for a belief

that these difficulties are only transient, and that sooner or later they will disappear. I have a feeling that an enlightened publicity would bring a solution for all the difficulties that may arise with the outside manufacturer. Prison authorities should be bound to let contracts only that had been regularly advertised and let them only to the highest bidder. If the public is aware of the whole business and all the manufacturers have an equal chance, there can be no complaint except for their own stupidity that the contract was not theirs. Publicity is a great thing in our day; graft and subterfuge cannot abide its light. Also free labor's cry for protection, and the prisoner's desire for a chance will in the coming day be realized if we work and wait. When the prisoners' plea for mercy and the free laborers' call for justice shall both be echoed back from the hill of the Almighty's good time, the answer will be in unison, "peace and good will." I do not mean to infer that free labor is not merciful to our prisoners, for I have found it different. When in Oregon we want some one to help out our prison reform work we find none more willing than the labor circles, and especially those fraternities which are closely allied to labor. Not long ago two of these groups of laboring men presented our prison boys a magnificent piano and moving picture machine as a token of their sympathy. Personally I have every reason to know that outside labor is not antagonistic, but is sympathetic. Their chief objection is directed against the state or the corporation that is exploiting prison labor. To see the trouble settled we must eliminate the demagogue, from whose glib tongue issues the venom of prejudices; we must outlaw the lease system and much of the contract system of prison labor, at least that part where publicity is wanting. Then I feel sure that free labor and all concerned will join in our wholesome reform. And we think the day-dawn of this new order is at hand.

But there is something of even greater consequence in our prison labor policies than that of getting a man to work and keeping him at it: it is our third consideration of making that labor productive of greater moral good to the criminal and still remunerative to the state. Here is a hard task. Here is the critical issue as it seems to me. To do any kind of work is a good thing; to do a fair day's task is better; but to do well an appropriate task is the best of all. And really in this world is there not too much time serving, too many perfunctory tasks? And is there not too little labor of exalted

purpose? I know that many have lauded labor *per se* to the skies. One writer of old said exultantly, "Next to faith in God is faith in labor." Voltaire once said, "Labor rids us of three great evils—irksomeness, vice and poverty." Good! But this is too much said for mere labor. All these good things and much more might, however, be said of what we may call spirited labor and utilitarian labor.

Spirited labor is the kind that tells for the convict. What a sad commentary on the spirit of our prison labor, when it takes on an average three convicts to do the work of one free man. We know that this slump of effectiveness is not due so much to ignorance or physical disability as it is to a broken spirit. There has been nothing to work for, no incentive. In Oregon we have been experimenting; we have done what we could to put new life in labor, and our results have been greater than we anticipated. There have been two things with us that have helped wonderfully to cheer the convict, to lift his face and to put a new song in his heart. First we have given him a few cents for a good day's work. Early this spring we told the boys in the brickyard that they were not doing enough and that we would give them \$2.50 for each extra thousand bricks they made in a day. They got busy and increased the output of the brickyard fifty per cent over the previous time, and the boys are making thirty-five cents a day, and incidentally another thirty-five cents per day is placed in a fund which we use to pay other trusties. All of our outside men, or "trusties" as we call them, are working without guard, and I am proud to say that now this list of trusties comprises fifty per cent of the men of our institution, and most of them receive twenty-five cents or more per day for their labor. We sent sixty men to a nearby hopyard to pick hops, and they made for themselves fifty cents a day and turned in a dollar a day to our trusty fund. To this list might be added those who receive "prize money" and "overtime" pay from the foundry and shops. This makes it possible for many prisoners to make something after their first six months. A little bank account in the front office has the significance of a certificate of deposit in the great bank of character. And this money helps to solve another of our trying prison problems, that of dependency of the prisoner's family. Suffering wives and children now get a little offering from this small account and, best of all, our prison boy leaves with his head up, not as an object



of charity. He goes as a really free man to gain his lost estate. Charity handed to any man is a load upon his soul, but the little bank account is an Alpine staff with which to climb to higher altitudes.

Along with the few cents which are such an encouragement to the prisoner is another thing which we find cheers and strengthens, that is our honor system. It is a small thing to bestow honor and confidence, but it is a wonderful working thing among the boys who have usually been kicked on in the way to perdition. We pride ourselves that sixty per cent of the men serving time are out on honor, some twelve per cent on regular parole or what we call "trusty paroles," and the other fifty per cent are trusties, many of them working at other state institutions. In the past eight months only three of our trusties have tried to run away; two got away, and during the same time only three regular parole men broke parole, and all of them were brought back—an unusual record! But the effect on the men to get them to work cheerfully is a thing noted by all who have witnessed the system. One of our trusties who has been spending the summer with others in a camp not far from our capital city, where they have been building roads, expressed a sentiment at a little dinner given for the boys and me, and the sentiment of this speech ought to be embossed in all our prison policies. He said: "The best we can do under such circumstances as these (referring to the honor bestowed) is too little, but under the old regime, guarded by cold steel, the least we could do seemed too much."

And there is still the higher consideration, namely, that labor transforms a man's life. If we do not forget that the chief end of the prison is reformation, we shall keep constantly in mind the effects of labor upon a man's life, as well as the fruits of it. Labor ought to be such as will fit the prisoner for a better place in society. A variety of occupations ought always to be provided, so that a man can follow that which is his natural bent. Labor that is to one's liking will be cheerful and, if it be for a good end, will react upon the man's life to transform and redeem it. Nothing less than this ought to be our goal in our ambitions for prison labor.

Now the final phase of the prison labor problem to claim our attention is merely the suggestion of following the lines of least resistance. Of course it is not intended that this dogma of following the lines of least resistance is to be practised by ourselves or the



prisoners when we want to evade work, but I mean that it is our duty to steer clear of difficulties in prison policies whenever we can. The economic and social and political seas are full of rocks and we ought to have judgment enough to keep to the open as much as possible. For this reason I give my heart and hand to the "state-use system" of employment of convicts. It has some difficulties, but they need not distress us. And when all state institutions are as near at hand as they are with us, in and about our capital city, this system is simplified. As we can use policy in the selection of systems of employment of prison labor, it seems we ought to use policy to go not too far in the adoption of whims of reformers, but rather a system of affairs to await the testing of these new programs; in other words to make haste slowly. But here again policy demands that when clear and simple duty confronts us we must not withhold our hand in the name of conservatism.

In conclusion, and as a sort of summary of my sentiment, will you allow me to propose what I want to call a Governor's Creed relative to prison labor:

1. I believe it is my duty to learn all it is possible for me to know about this problem before me. I welcome the enlightenment of social students and commissions, and, most of all, must know the prisoner, the officers and the prison plant at work.
2. I believe I ought to do my part in the solution of the problem. "By the sweat of a man's brow shall a man eat his bread" is a divine edict which applies to me as well as to the boys in prison and those who serve under me.
3. I believe in the prisoner. Some have turned down my confidence, but I believe in them all just the same. They are savable, and they cannot get away from my good wishes for them.
4. I believe in plenty of wholesome, cheerful and useful labor for the prisoner. With Carlyle I say, "Give me the man who whistles at his work," also the man who is able to produce something that will make the world happier and better off.
5. I believe in the outside manufacturers and in free labor, and my office is always open to their petitions, and I am glad to join hands with them to help our unfortunate brother who for his folly must spend his days behind prison bars.
6. I believe in the state I serve. It is deserving of my

best efforts to make our prison self-supporting, and we will do it, too.

7. I believe in keeping plugging away and let the critics howl.

8. I believe that Jesus Christ and John Howard and Abraham Lincoln were full of gentle sympathy and stern justice, and did all they could to help the unfortunate. I want to emulate them.

## THE IDEAL FOR KANSAS

BY J. K. CODDING,

Warden, Kansas State Penitentiary, Lansing, Kan.

The ideal for Kansas in the management of her penitentiary is to make the institution a reformatory instead of a deformatory. Men are convicted of crime and sentenced to a penal institution for three purposes: First, to relieve society of the burden and handicap of having her misfit citizens violate law and interfere with the orderly and progressive trend of social life. Second, to deter others from committing like offenses. Third, to reform the man who is a misfit and better fit him to return to civil life.

The penitentiary is particularly concerned in this last proposition. Of the 1,000 men who have been received at this institution in the last three and one-half years, fully one-half of them were hungry, not simply hungry for one meal, but starved in blood and fiber, improperly nourished, and lacking vital force. It is a rare thing to receive a prisoner who has ruddy cheeks and vigorous health. A great number are sexually degenerate or defective, and this can be traced to their lack of proper nutrition.

It may well be said that crime is a disease—a moral disease—and that it has its breeding places where tuberculosis and other physical diseases have their breeding places. Society, failing to cure this moral disease by prevention, by stamping out the causes of crime, has adopted the method of sending the victims of its own mismanagement to the penitentiary. The duty thus devolves upon the penitentiary management to do for these defective men what organized society on the outside has failed to do, viz., bring about a reformation in their lives.

The following programme is essential in the rebuilding and reconstruction of broken men:

First, discipline, wisely and firmly administrated. That discipline which gives the prisoner a bath once a week and changes his clothing as often, that gets him up in the morning at six o'clock, that puts him to work at seven, that gets him to and from his meals

right on time, that puts him to bed at night at nine o'clock at the tap of a bell, that requires him to march and halt, to carry his shoulders back and his head up, to move with precision and at a command, and that compels him to treat his fellow-prisoners with kindness and his superior officers with deference.

Second, labor—productive labor and plenty of it—that teaches his brain to act and his hands to do, that counts the day poorly spent unless he has done something, builded something, mined something; that not only teaches him labor, but the continuity of labor, keeping at it day after day, week after week and month after month; that kind of labor that is not only constructive of things, but constructive of the man himself.

Third, proper bodily care and treatment. The criminal tendencies in a great proportion of the men disappear, as with proper food their blood reddens, their body rounds out and their fiber takes the place of flabby muscles and soft tissue. Few realize the value of proper nutrition in the repair of this human wreckage. Crime is committed by the anemic, the half-starved; by the dull-eyed, listless moving specimen of humanity whose main sin consists in a poorly nourished body. A good place to sleep, newspapers, books and regular recreation are essential in the restoration of the moral health of these men. A half hour's relaxation at noon at which the men play ball, pitch horseshoes and indulge in athletic games is as much a part of the regular programme of the institution as is the day's labor or the regular meals.

Last, but not least, is the moral and spiritual training that the men receive. Ten per cent of the men who enter the Kansas State Penitentiary are illiterate, and another twenty per cent can scarcely read or write. A night school every other night for seven months in the year furnishes four hundred of these inmates an opportunity to broaden their vision, to learn the rudiments of an education, and others to take up special work in electricity, stenography, mechanics and agriculture. Three hundred and twenty-five of the eight hundred and sixty men are voluntary members of the Bible class, with twenty-six prison teachers. This spiritual training is a great force in molding the men for the better and fits them to live up to the parole regulations. These require them not only to refrain from visiting pool and billiard rooms and saloons, and to spend their evenings at home and to support their families, but demand

that they attend church once each Sunday. Senseless rules and regulations, such as the folding of the arms, the lock step, the averted face, the striped suits, silence at work and on the playground, all have been abolished, greatly to the men's benefit. Instead of trying to break the prisoner's will, as was supposed to be the proper way, every effort is made to strengthen his will, appeal to the manhood that is in him, urge him on to better living, better thinking and higher ideals.

This policy during the past three years and a half has been so successful that seventy-five per cent of the men who leave the institution go out to make good. The prison hospital is practically empty; not to exceed one death a year from tuberculosis is the record in three years and a half, although during the year ending June, 1909, there were nine deaths from this disease. So successful has been this mode of warfare against tuberculosis that the management is returning into the state treasury the money appropriated for a tubercular hospital, because none is needed.

The prisoners are clear-eyed, move with a quick step and have a desire and an ability to do better work. They are amenable to prison discipline, the punishment record is low, and upon every occasion presented the prisoners themselves have responded to this modern method of handling them. Kansas believes in the making of men instead of the unmaking of them. She believes that these men who have been failures and worse than failures can be developed into an asset rather than a liability, and through her Public Welfare League she expects within the next few years to offer strong examples of her ability to cure crime, not by sending men to the penitentiary, but by prevention. She expects to show that the conservation of the human family is the greatest subject before the American nation; that by applying constructive principles in her cities, the unemployed, the ignorant, the unsanitary, may be given a better vision of life, may be reformed without the intervention of a penitentiary. In other words, Kansas expects to show through her public welfare work that the way to cure crime is to prevent it; the way to purify a stream is to commence at its source and not at its mouth; that to the abolition of the saloon she will add the annihilation of the bawdy house, the gambling den, the pool hall and other Kansas crime-breeding centers. And when she has accomplished this, she will have justified the sentiment of



that greatest of American women, Frances E. Willard, when she said: "Kansas is away out on the picket line of progress where mortal commonwealth has never gone before. It may be called, with entire propriety, the State of First Things—the pleasant garden plot on which God tries experiments with humanity to see how large and free we are capable of growing."

## PRISON LABOR ON PUBLIC ROADS

BY THOMAS J. TYNAN,

Warden, Colorado State Penitentiary, Canon City, Col.

Colorado owes many of its wonderful thoroughfares and scenic beauties to the men who are housed in the gray prison at Canon City. The highway to the top of the Royal Gorge, the skyline drive, the new Santa Fé trail, and others—always a source of wonder and delight to thousands of visitors—are but the triumphant vindication of the "honor system" of working convicts on state highways, exemplified in Colorado. This system has revolutionized penology and has demonstrated that through it the greatest good from financial, commercial and industrial vantage points can be gained for the community, as well as for the reformation and reclamation of the criminal element. Splendid highways have been shot through mountain fastnesses, splendid manhood has been made from degraded, sullen and vicious men, and this has only been possible through a system founded on appeal to the best in man.

Convict labor on highways, as practised in Colorado, Oregon, New Mexico, Wyoming, Arizona and Utah, is more or less of a new feature. It is not to be confounded with the southern "contract" camps, where men are sold at auction to the highest bidder. From an economical standpoint, it has been a tremendous saving to the taxpayers of the state, and has given them roads equal to any in the world. From a reformatory standpoint, it has been a still greater saving to society in lessened criminality, to the men themselves in increased self-respect, stamina of character and an added sense of reliability.

The first convict road camp was started in 1908. The work progressed slowly, and entirely too much attention was paid to the safe-keeping of the men at work. A short time after my induction into office as warden of the Colorado State Penitentiary, we enlarged upon the honor system, increasing the number of camps, eliminating every vestige of armed guards and placed these men solely upon their honor, with the result that more than triple the quantity of work was performed. The men worked with an energy and a zeal that have never before been equaled; they worked so

because they felt they were working for themselves, to retain the precious privilege of sunshine, outdoor work and the additional ten days a month that the road work permits to be deducted from their sentence, in addition to the good time allowed by law for good behavior. The camps are modern, sanitary and with no sign of physical restraint usually associated with prison life. The men pledged their word of honor and splendidly maintained it, establishing a standard of morals in the criminal world that has disproved the denunciations that the system was anarchistic, dangerous and foolhardy. The road camps are the hope of every man in the prison. The men are decently clothed in blue or khaki, they are better fed, work eight hours per day, and on Sundays their time is their own to fish, swim, play ball, listen to the phonographs or otherwise amuse themselves.

By working convicts on public highways, we have saved the state many thousand dollars, and the taxpayers have received the benefit of this tremendous saving. To give an idea of the great saving to the state, I wish to quote a few figures, based on actual facts. During the years 1909-10 we built fifty-seven miles of finished roadway, much of which had to be blasted out of solid rock, at a saving to the taxpayers of the state of over \$160,000.

During the years 1911-12 we built 157 miles of finished roadway at a total cost of \$46,805.44, or at a cost of \$298.12 per mile, saving the taxpayers of Colorado \$223,479.56 in actual cash. The above figures are based on contractors' estimates. The cost to maintain these men was just thirty-two cents per day per man. Not only are they building good, substantial roads, but also, under competent overseers, they are obtaining a knowledge and physical condition that will enable them to earn honest livelihoods when they are released from this institution.

During the past four years we have had over eighteen hundred individual men working in our honor camps. These men without guards, some fifty and one hundred, and even three hundred miles away from the prison, have created a national reputation for loyalty. Only a little over one in every one hundred men has violated his pledge not to run away, which is far less than the desertions from the United States army or navy; and communities have come to feel as safe near our prison road camps as they would anywhere.

To my mind, there is no reason why convict labor should not be disposed of in every state in the Union, just as it is in the states mentioned above, and by eliminating the factory system from our penal institutions and putting the ban on the convict-lease system, we will have done something worth while in the betterment of conditions existing in workhouses and penitentiaries throughout the United States. Students of criminology and political and social science should investigate our system of employing prison labor.

## THE REFORM OF THE INDIVIDUAL

BY FRANK MOORE,

Superintendent, New Jersey Reformatory, Rahway, N. J.

When man disobeyed and was driven out of the Garden of Eden because of his sins, it is written that the Creator sent him forth to till the ground, saying to him that "in the sweat of thy face shalt thou eat bread." Thus in the beginning omniscient wisdom chose labor as the very first means to be employed in restoring fallen man. And up to the present time there has never been discovered any better method. It is of first importance in any effort which undertakes to correct the human errors—dishonesty, sensuality, impurity or violence—that man should be required to work in order that his mind may be turned to better things and his physical powers spent in doing that which is right.

Through idleness, as well as because of inadaptability to the task at hand, men fall into crime. The first task, therefore, before the man who would seek to reform his brother is to know the character of the offender. He must ask, "What kind of a man is this? Is he naturally indolent? If so, why?" In every penal institution there is always a large percentage who have not only committed crime because of laziness, but who present great difficulties in discipline because of the same thing. The most superficial objection soon singles out those who are of this character. It is a mistake, however, to stop when it has been discovered that laziness is a characteristic of an individual. The question must be asked, "Is there a cause for this laziness?"

Flat foot makes it difficult for some to be on their feet continually. Defective sight makes it hard for others to work with machinery. Incipient tuberculosis and other diseases sap the vitality. In most cases some cause can be found that is sufficient in itself to make it difficult for the defective to work as does the normal man. It is really a question whether any human being is ever lazy without a cause.

Food like fuel generates energy that uses itself in work, unless it is lost through some leak in the physical system. It is useless,



therefore, to say—a man is lazy; we will drive him to work. Our first duty is to find the leak and stop it, discover the cause and cure it. This is the duty of the physician. His office, the hospital and the operating room, must first take the man in hand, and by treatment—whether environmental, dietary, medical or surgical—render him fit for the requirements of labor. When this is accomplished and the man is thus placed where he is capable of some work, the next question to be asked is, "What kind of work is it to which this man is naturally adapted?" or since the man is always of more importance than his work, the better question to ask is, "What work will be most likely to assist this man in accomplishing his restoration?"

Here is a man that is addicted to drink. Considering the several categories of serious delinquency, we have long ago found that alcoholism is answerable for about sixty per cent of indictable crimes of violence, that it is probably the cause of nearly half the crimes of lust, and that, in addition, no small number of cases of petty larceny are committed because of it. The offender guilty of these crimes is not, however, primarily a criminal, but he is an alcoholic. It is of little advantage to settle the much-disputed question—whether alcoholism is a cause or a result. We know what the signs of well-developed, unimpaired minds are: calmness, steadiness, sound judgment, absence of impulsive action, good abstract memory, coherence and great muscular co-ordination. What does the alcoholic show: restlessness, tremor, impulsiveness, loss of memory, incoherence and finally moral turpitude and a state of antagonism to society. He is a neurotic, his nervous system cries out for that which stimulates but which in the end leaves it weaker than it found it, and must be treated. This type of offender is hard to cure. How discouraged we have been with his recidivism. What is the way? Certainly his treatment in the penal institutions will continue to fail if it is of such a nature as to irritate and weaken still further his already overwrought nervous organism. His work must be soothing to his nerves and invigorating to his body. Out-of-door employment, that which begets regular habits and stimulates his self-respect, can best give him relief. Close confinement, irritating monotony, the slavish drive of the contract sweat shop keep him a slave and cause the chains of his appetite to bind him still more tightly.

Here is a sexual pervert. His work too must be adapted to his

character. There is scarcely a known offense that men do not commit because of sex abnormality or excess. The theft, the murder or whatever it may be of which many a man is guilty is often because of his physical weakness. To place him at work that does not interest him and that causes his mind to wander off from it, because he hates it, is to encourage his thoughts to turn to that which is evil. To leave him in solitary places where he can dream is to light fires of lust in his dark soul that burn his moral being to ashes. He must be given work to do in the pure air under the bright sunlight that will bring wholesome fatigue and cause the fountains of life to be absorbed with cooling influence by his bodily tissue. It is all important that he should be given vigorous manual work; work that is a soporific so that when night comes rest should be sweet to him.

Not only the question as to the character of the body must be asked, however, but it must further be asked what is this man's mind? Is he normal or feeble-minded? The Binet or some other mental test should be given to every inmate upon entrance into a penal institution. By means of this test the mental capability of every offender is determined. About one-third of those admitted will be found to be feeble-minded. It is useless to undertake to teach this class of offenders a trade. They are by nature fit only to be drawers of water or hewers of wood. To place them at the task that requires planning and skill is to treat them inhumanly. They are capable only of simple manual toil. They can wheel a wheelbarrow filled with dirt. They can drive cows. They can chop wood or do a score of other chores, but they cannot lay bricks, build houses or print a newspaper. To ask these things of them is to demand the impossible and to waste both time and money. The wise penal administration, therefore, sets them aside for the task for which they are fitted even as the dray horse is kept for its task, while the roadster is used for another purpose.

#### *The Normal in Mind and Body*

These constitute the hopeful class of offenders. Greatest care is, therefore, needed in dealing with them. Here the individual's choice must be the basis of assignment to work. The question is: "What will this man be happiest in doing? not what does the institution need him to do, but what does he like?" It must be found

out what are his inclinations, and his natural bent must be followed as the line of least resistance, in order that, made happy by progress and encouraged by success, pride will be awakened in his soul, which will hold him like a mighty magnet in the realm of right.

The penal institution no longer is regarded as a place to punish men, but a place to reform them. At last the world has heard the Great Judge say, "Vengeance is mine, I will repay," and leaving that to Him, we turn to helping our weak brother to become strong.

Two things are necessary to succeed in this: First. The institution must have absolute control of the man. He must be put in charge of those who have the single purpose in their minds of making him into a man. This one aim must never be lost sight of. Contractors who run contract shops for the purpose of making money may be good men personally, but because of their business they are really emissaries of the evil one; their sole object is one that is selfish. Their purpose is to make money. They are blinded to everything else and their presence in any penal institution is not a source of economy to the state nor a means of making men, since under such a system the offender becomes a recidivist, and through his repeated return entails a renewed expense to the state. The contract labor system is always a criminal-making as well as a commercial factory. We found this system in the New Jersey Reformatory four years ago. It had made the inmates desperate. The sullen, furtive, dogged expression was on their faces, their conduct was desperate and their souls were hopeless. Since its discontinuance an entire change has come in their character. The rebellious spirit has entirely disappeared. The serious offense against discipline has become a thing of the past. An atmosphere of hope and cheer has come and an era of good feeling has dawned. The transition from the contract to the present industrial system has been without friction. The contractors, by reasoning and persuasion, were induced voluntarily to lay down their rights that the management might be left free to work out its own plans, unhindered by interference from those who were not state officers. Fortunately the reformatory, being not very old, had much work of construction to do, and those who ran sewing machines have been kept busy erecting buildings, installing water plants, constructing a wall and doing many other things which taught a trade and which are preparing them for the state-use system in which work of an ennobling character will be assigned to them.

Second. Conscientiousness and care in assignment to work. This is a task that is so important that no one man in a penal institution can competently perform it alone. The physician, the psychologist, the chaplain, the disciplinarian and the superintendent are all required in order that the man may be studied from the several points of view that are most natural to these men. No more important time comes in the prisoner's life than that moment in which he stands before those who are to determine the place where he will work. As we have indicated, his physical and mental character, together with his past history, his present preference and his future possibilities must all be considered. It must be remembered that he has fallen by the way, that he has been a failure, that he is weak and that if he is to become strong every condition must be favorable, and that which is most likely to have the best effect upon his life must be chosen. It must be determined what he is best fitted for, and then without thought of gain to anyone but to him, he must be fitted for his work.

Two marked results have followed the use of this system: First. The number of reports for violation of rules has been reduced fifty per cent, making it possible thereby for inmates to gain their parole in four months less time on the average. Second. The young men have been fitted to secure good positions upon release.

When arrested and sent to the reformatory, the three hundred and thirteen inmates received during the fiscal year ending October 31, 1911, were earning \$5,329 per month. The positions in which the reformatory placed them when they were paroled gave these same three hundred and thirteen young men wages aggregating \$10,129 a month, nearly twice as much as they were earning when committed.



## WORKING FOR THE INDIVIDUAL

BY DAVID C. PEYTON,  
General Superintendent, Indiana Reformatory, Jeffersonville, Ind.

He who blazes the way in any field of pioneer work must suffer suspicion, criticism and ridicule on the altar of public opinion which always contests the acceptance of new ideas until it is proved that the principles thus enunciated are true. Yet public opinion serves the very necessary purpose of staying the hand of the adventurer and dreamer who would selfishly exploit ideas and schemes that give no hope of ultimate usefulness. However, from the earliest time the line of duty in these matters has been so clear that few men, who have had an abiding faith in the genuine good that would ultimately come to humanity, have hesitated to render the service. The individual fall of a few men is of no consequence when compared with the great benefit accruing to society from action based upon truly scientific principles. Those of us here venturing to lend our endorsement to certain principles of pioneer labor in the field of conservation—the greatest of all its divisions, that of defective or sub-normal man—do so in all modesty, recognizing that any or all the truth and worth of our efforts is the result of our opportunity of observation and the evolution and enlargement of the thoughts of other and abler men.

So much has been written of the essential principles of the great work of reclaiming the criminal, or law violator, that it is difficult to separate the new from the old. Our grateful nation would be impoverished indeed should it attempt fully to repay in love and gratitude such noble spirits as Brockway, Henderson, McClaughry, Butler and the late lamented Dr. Wines, and the hosts of others who have given so abundantly and unselfishly of their intellects and energies.

Every generation and every epoch in history has brought advancement in all lines of human good, and our people and our time have not been weighed in the balance and found wanting. We have given to posterity the indeterminate sentence and parole laws, and their author has lived to see them universally accepted. However, there is yet so much to be done, and the time in which to do it



so short that we should not even hesitate, much less stop. Let us here and now resolve to search out new and additional truths and, if needs be, pay the price of self-sacrifice in order to establish them on the pedestal of man's eternal good.

Is crime a disease? Not exactly; no. May it not better be regarded as an evidence of defective or undeveloped brain? Through medical science the world learned that insanity is a physical and not a spiritual ill, and kindness and scientific treatment supplanted harshness and unscientific methods. So also, crime is a problem for the neurologist and the psychologist, and the field of research is the brain and the mind. We know that certain divisions of the brain preside over intellect—volition, thought, memory—and another division over muscular co-ordination, and still another over the vital centers. Whether the mind or intellect is the brain acting, or whether the mind acts through the brain, it would seem that the process is inseparable from the organ. We should recognize that crime, like disease, has natural causes, and before we can intelligently treat the offender we must know his genesis. We account for some deformities by reason of an inflammatory interference with certain brain cells: we also have the precocious child as a result of abnormal, or early, excessive development of certain brain cells. May not science yet disclose that crime is but the natural result of a defective or undeveloped brain? Who will undertake to point out a sharp line of demarcation between the normal and abnormal, or tell where sanity leaves off and insanity begins? Let him who can arbitrarily and with certainty fix these lines, point out to us the fundamentals of crime. Who can tell what the secret chambers of science may yet have in store for us? We have the curable and the incurable diseases. There is such an apparent intimate relation between crime and defect that we are not surprised that the field has for a long time been attractive to many scientists, such as Lombroso, who considers epilepsy as forming, with atavism, the sub-stratum upon which is based the criminal world.

Let us venture a little further into the speculative. If the mind is not the brain acting, but is rather to be considered synonymous with the spiritual part of man, where is its abiding place in cases of insanity or imbecility? If conscience is the moral attribute of mind that sits in judgment on and approves or disapproves our actions, what are its limitations—its influence over physical brain function?

After all, it is the integrity of the mind that determines the integrity of the life. Let us return to the material and consider some of the causes of crime in order that we may more intelligently individualize the treatment rather than the punishment of the criminal. For the purposes under consideration we may classify most cases under two general heads, "heredity" and "environment." Practically all causative influences may be properly considered under one or the other. The whole problem has been clouded with innumerable theories. As Dr. Healy so well says in a splendid article in the *July Review*: "It is even more important to note that many of the most competent students, especially those who have dealt largely with life rather than books, feel that the matter is anything but closed; the problem anything but solved." Again the same writer strikes an important key-note when he says: "Emerging as students from the conglomerate material offered us by many authors, and attempting a survey of the field with fair-minded shrewdness, where does it seem we can turn for relief from the futility of our failures? One sees certainly no immediate help from any attempt at theorizing." He is quite right. We must approach this question in the same sane and practical way as any other physical and scientific problem. Let us view the actions of the offender as the natural outgrowth of an undeveloped or abnormal central nervous system. Medical and psychological science must earnestly and intelligently work out scientific individualization and correct classification, after having determined as nearly as possible the physical and intellectual strength of the criminal.

We cannot hope to control and improve the offender unless we know him, and to know him we must study him—his conduct, his physical and mental make-up, the general ensemble of his qualities. Where can this best be done? First in the larger field of personal contact and individual handling, and second, in the psychological and pathological laboratory. The more carefully we study him the more convinced are we that we are dealing with a defective or undeveloped, and possibly undevelopable, brain. In many cases there has been a disturbance or complete arrest of development, accounting for the fact that probably one-third of those entering a reformatory, while physically ranging in ages from sixteen to thirty years, are mentally under twelve years of age. This of itself furnishes ample evidence of the necessity for a longer period of institutional

treatment than is too often understood or practiced. Essential features of any method of treatment must be firmness, unquestioned justice, patience and kindly interest. This thought is well expressed by Dr. Henderson in his summary of the discussions of the congress at Washington, in 1910. To return the criminal to organized society before he is fitted to meet its requirements is to weaken society's confidence in our methods of treatment, and to make of the offender a recidivist. When we learn to analyze scientifically the irregularities of the defective intellect, the matter of employment and discipline will both become easier. The problem is as endless as the human race, and the matter as inexhaustible as nature itself.

It is important that we observe the same diligence in the restriction of the spread of crime as we do in the prevention of the spread of contagious disease. In considering the preventive or restrictive measures let us first think of more thoroughly safeguarding our marriage laws; and, second, the humane prevention of procreation by the positively defective and criminal type, the feasibility of which has been so well demonstrated by Dr. Sharp. It is impossible to read the findings of Lombroso and others on heredity and not appreciate the necessity for positive control of such procreation. The moral and intellectual constitution must be rebuilt. The criminal's physical condition must also be improved and his somatic defects corrected as far as possible. The wonderful good accruing from the gymnasium, the drill room and other kinds of physical exercise does not stop with the bodily improvement, but the stimulation to the brain and mind gives a decided improvement in mental acumen.

In securing control and obedience of the prisoner we must convince him that we are not only just with him, but that we are actually interested in him. It must be borne in mind also that by reason of his defect he does not have a normal view of things. This does not mean that he must not be made to conform to rules. The very nature of his life as a member of society and his failure to respect the regulations of society, one of which was his probable failure to support those having a natural and legal right to look to him, make it incumbent upon the state to take custodial care of him and bring about compulsory support. In order to do this the state assumes the obligation to afford him the necessary opportunity. To do this he should be given his entire earnings over and above the cost of raw material entering into the product he creates. It is useless to advo-

cate that his maintenance should first be deducted, for no reformatory, attempting to carry out the purpose for which it was created, can ever hope to be self-sustaining. When the state takes into custody and locks up one of its derelicts and affords society protection against his offenses, society has gotten all to which it is entitled and has no right to appropriate the prisoner's earnings, thus pauperizing his family, which is one of the causes of crime.

In this connection it is interesting to consider the results of Lombroso's investigations in the matter of employment, where he shows the relative increase of crime and recidivism as we leave agriculture and replace it with the manufacturing industries, the agricultural employment having the lowest percentage of crime. From the foregoing it seems that the importance of training prisoners in agriculture—intensive farming—by the best instructor to be furnished by some such great school as Purdue University, can not be over-estimated. This instruction should be given on as extensive a scale as is consistent with the welfare of the inmates and the interests of the state. The unsatisfactory employment of prisoners, along with other features of disappointment in the general treatment of penal and reformatory problems, has resulted in a state of uncertainty and unrest, causing us to seek other and newer methods, and the most promising outlook is the truly scientific field.

The State of Indiana is fortunate in having a governor, and the Indiana Reformatory a board of trustees, who have given much thought and consideration to the advancement of such sensible and practicable things that tend to the general uplift and improvement of the inmates. Recognizing that the work of a reformatory is necessarily along scientific and educational lines, the Indiana Reformatory has secured one of our distinguished educators to become associated with us in our work here. He is a gentleman who has for some years been at the head of the department of education and psychology in Depauw University, this state, and the entering into this work by such men as he augurs much for the advancement of the work.

The startling advance made in the last half century in the general world of science, by the exact methods of laboratory investigation, has suggested the feasibility of their application to the problems of penal science. The psychological laboratory is no longer an experiment. The work done by Münsterburg, of Harvard University, and by others in the field proves conclusively the potency of this method

in determining mental qualities, in detecting psychic defects, and in estimating the general state of the central nervous system. Incredible as it may appear, there is no penal or reformatory institution for the care of males where psychological methods formulated on scientific laboratory experiments are in use, or even where a comprehensive scheme of psychic findings has any place in the general conduct of the management of criminals. Despite the remarkable advance along the whole range of scientific and cultural activities the idea of punishment for crime is in essence singularly archaic, harking back to the old punitive system of the Mosaic law. True, the reformatory idea has been extant for some years and much good has been accomplished, but, in the light of modern scientific investigation, even greater advancement is to be expected.

We would not have maudlin sentiment usurp the place of even strabismic justice, but would approach the subject from the standpoint of broad humanism and treat it as a problem of physical science. As scientific problems can be elucidated only by scientific methods, we are now on the threshold of instituting in the Indiana Reformatory the first effort in the methods suggested. We feel fully the immensity of the undertaking. We are leaving the familiar ground, strewn as it is with many failures and disappointments, and, guided by the refulgent star of science, we dare to follow her into the unknown, confident in her unerring instinct to guide us to our goal, certain that she alone can now lead us aright.



## THE ACTIVITIES OF DELINQUENT BOYS

BY ELMER L. COFFEEN,

Superintendent, Lyman School for Boys, Westboro, Mass.

The problem that presents itself to an industrial school such as the Lyman School for Boys is to receive delinquent and morally defective boys under fifteen years of age with a minority commitment for the purpose of making law-abiding and self-supporting citizens of them. Where a boy comes from the courts as clearly a delinquent, his delinquency is the result of the environment in which he has lived. His ideas of right and wrong have been perverted by home and social conditions. If a boy is a moral defective through his heredity, the problem is made still more complex and difficult. If to one or more of these traits—delinquency and moral defect—is added feeble-mindedness, the problem is made still more complex and often hopeless. The classification of these boys is considerable of a problem. To aid in this work we have the services of specialists and a hearty and valuable cooperation on the part of the physicians of various state institutions.

### *Physical Development*

When a boy comes to school he is a subject for individual thought and study from the time of his entrance. He is subjected to an examination by the physician and dentist. If physical difficulties are discovered steps are taken to remedy them, even if it is necessary to enlist the services of the Massachusetts General Hospital and the Massachusetts Charitable Eye and Ear Infirmary. These institutions have been of great assistance in aiding us to bear our responsibilities beyond what our own hospital can meet.

Each boy receives a thorough examination of his teeth by the dentist when he comes and another examination when he leaves. Dental treatment is also given whenever conditions demand it. Where there is defective vision, treatment is prescribed by an oculist.

Besides the different treatments for bodily defects, the physical development is aided by play upon the playground connected with each cottage and by work under the physical director in the gymna-

sium. Drills in physical culture, swimming in the pool and military drill are indulged in by each boy twice or more times a week. At the proper season, under the same director, school teams are organized in baseball, football and basket-ball. These teams frequently compete with other school teams, both at the school and away from it. Also, cottage leagues are organized in these different games, in which a team from each cottage contests.

#### *Family and Industrial Life*

The boys are domiciled in twelve cottages, having from sixteen to thirty-five boys in a cottage. Each cottage is made as homelike and sanitary as possible through the efforts of the master and matron and the boys. Certain boys—six or seven—are detailed to the matron for doing housework, outside of the cooking, which is done in the general kitchen. While this work may seem somewhat poorly adapted to boys, it proves to be a valuable training in habits of neatness, promptness in work, ability to assume responsibility, withstanding temptation and pride in work well done.

Further than the domestic duties, many of the boys are engaged in different departments of agriculture, horticulture and floriculture, certain cottages being assigned to specific lines of work. To furnish general employment and instruction in these lines of work we have the farm, a dairy of sixty cows, a creamery, a small acreage of small fruits and apple orchard, the general and cottage lawns, the hennery and flower gardens. At the Berlin Cottage, to which the boys under thirteen are assigned, their occupation outside of school and play time is devoted either to housework or to some kind of farm work.

Besides the more general outside work there are certain kinds of work to which special boys are detailed. The shoe shop has tools and machinery with which all shoes for the boys are made and repaired. The tailor shop, equipped with motor-driven machines, makes and repairs a large portion of the boys' wearing apparel. Recently a class in masonry constructed about five hundred feet of subway, besides doing considerable concrete and brick work. In the bakery and general kitchen are done the baking and cooking for all the boys and a large portion of that for the officers. A well equipped laundry does the laundering for the school. The engineering, plumbing and electrical department has employed boys in the boiler room, in the repairing of electrical appliances, in the piping of the five hun-

dred feet of subway and in installing the radiation in the double cottage and keeping up the numerous plumbing repairs. Boys are employed by the storekeeper in the storeroom in receiving and disbursing the supplies. An up-to-date printing office puts forth all of the printing supplies besides issuing two local periodicals. The carpenter and cabinet shop does the carpentry work and makes all of the furniture for the school. Besides this it does the repair work upon the buildings. During a recent summer and fall one thousand three hundred feet of water mains and one thousand feet of sewer and drain pipes were laid with the labor of the boys. The excavations for this and for the five hundred feet of subway were dug by them mainly during the summer intermission of the school.

Besides the general occupations mentioned above we aim to have each boy have a course either in sloyd or lathe and forge work. These are courses that are aimed to acquaint the boys with elementary ideas of the uses of tools and machinery. The boys take to it with enthusiasm, and develop very rapidly in muscular, mental and moral control. While the work does not aim at a specific trade, it does aim to prepare a boy for taking up a special vocation in the future. These courses are modified in one class in such a way as to make them valuable to our backward boys. We have recently endeavored more strongly to correlate the trade work with the school work. The trade classes that are working under this system are those of carpentry, plumbing, masonry, electrical work, printing and dairying. The afternoon classes in each of these trades are divided into two divisions, each division attending the school alternate weeks. The instruction, especially in mathematics, language, drawing and geography is adjusted to the trade that each boy is learning. In this way more boys get the advantages of the school and of the trades. So far as can be observed through a hearty cooperation of the school and trade instructors, an increased interest seems to be aroused on the part of the boys in both their trade and academic work. It is an endeavor to mix the theory and the practice of trade teaching in the right proportion.

In spite of the material received our school of letters is doing a good work. Our grading is different from that in the public schools because the pupils are more nearly of an age. The difference in advancement between the consecutive grades is of such a small degree that frequent individual promotions can advantageously be made

from a lower to a higher class. A boy is moved forward as rapidly as his individual work will allow. The curriculum is aimed to include those things which will be of most service to him. Many of our boys do not pursue school studies further after leaving us. As strong adjuncts to our school we have departments in music and drawing which are a means of helpfulness. At the Berlin Cottage we maintain an ungraded school, which keeps the small boys in preparation to take up their regular school work when they are boarded out.

#### *Moral and Religious Instruction*

To surround the boy with a wholesome atmosphere in the cottage and with a sincere religious life is essential. As near as the number of boys in a cottage will allow, it is aimed to have the family idea prevail. Where there is too large a number this idea falls short to a certain degree. Each cottage is provided with games, periodicals and a library that are available in the reading rooms. The two cottages recently constructed aid us in reducing the census of each family.

The religious life of the institution remains a prominent feature of the training. Recently a change has been made in the matter of conducting our religious instruction and services. For some years previous it was customary for boys of all faiths except the Hebrew to go to the village of Westboro for religious worship. Owing to the fact that our boys made up such a large part of the congregation and caused crowded conditions in some of the churches of the village, it was deemed advisable to hold religious exercises at the school. For this purpose \$1,100 was appropriated. Each boy now can attend services of his own creed at the school on Sunday. Besides this each boy is given lessons in his Sunday school class and instruction quite generally in a week-day evening group by the pastor of his own denomination. This change has worked well and on the whole I believe that the boys now have more efficient religious instruction than they have heretofore enjoyed. To instill ideas of reverence for our country and its great men, special programmes of commemoration are arranged from time to time in the school building. These have added much pleasure and interest.

Sometimes a boy may not be located in the right cottage surroundings, due to the influence of particularly unfortunate companionships formed or to the temperament of the officers in that cottage.

To remedy this, more frequent transfers are made from one cottage to another. Officers have their individual temperaments, as well as the boys. It is found that each officer is better adapted to one class of boys than to another. The transfer of a boy from one officer to another is not necessarily a discredit to the officer from whom the transfer is made. There are cases where the transfers work both ways. We make every endeavor possible to place the boy in the environment that will produce the best results, just as a horticulturist places plants in a soil and atmosphere most conducive to their growth.

#### *Disciplinary Matters*

The question of discipline will ever remain with us as long as there are delinquent boys. The past two years have witnessed considerable change in our methods of handling those cases of misconduct against the rules of the social community of our school. So far as possible we are endeavoring to make our methods of handling these matters similar to those of the open community. A spirit of public sentiment favoring that which is right and condemning that which is wrong is developed to a considerable degree among the boys. The fact that a thing is condemned by the majority is often a strong incentive to improve conduct. So far as possible we aim to have good conduct rewarded with the highest privileges. The cottage group having the highest average in deportment for any given month in school is rewarded with some additional pleasures some evening. For more serious offenses the disciplinary cottage and corporal punishments are resorted to. During the early part of the previous year a disciplinary cottage was established. To this boys are committed for various offenses under an indeterminate commitment, a minimum time always being designated. Just how much longer the boy remains is determined by his conduct. At the disciplinary cottage the boy is denied all intercourse with the other boys of the school, and the more difficult and heavier work is required of him. The diet is wholesome and plain, but not so varied as that of the other boys. He is also given plenty of active physical exercise through calisthenics and military drill. The boy earns no credits while at the disciplinary cottage. Day and night supervision is exercised. In cases where it seems best corporal punishment is administered under the direction of the superintendent or his assistant. By the use of



the disciplinary cottage we have done away with the detention rooms and about two-thirds of our corporal punishments.

Any plan of dealing with boys that does not take into consideration the dynamic feature of the boy's growth in its fourfold relations—physical, mental, spiritual and social—is sure to meet with failure. Each boy has certain possibilities of manhood existing within him. To realize these possibilities is the aim of all work with boys, whether it be in the home, the boy's club, the church, the school or the institution. Each delinquent boy received at any industrial school has certain possibilities within him. He is just as much entitled to their proper development as is the normal boy. This can be said, notwithstanding the fact that he may be "born short" through heredity. In many cases, probably seventy-five per cent of those dealt with, the boy's delinquency is a result of living in a congested district, where he has had no chance to be a natural boy without breaking the law. Each delinquent has been an unsolved problem to the social organizations with which he has come in contact. No two boys come with the same inherent qualities. Each one shows marked individual traits. While the members of a group of boys possess many qualities in common, in the last analysis the individual must be dealt with. As Dr. Burr states, "individual work takes time and strength and money, and we have not yet realized its importance in both religious and educational work sufficiently to pay the price."

## CONVICT LABOR IN HIGHWAY CONSTRUCTION

BY JOSEPH HYDE PRATT,

State Geologist of North Carolina, Chapel Hill, N. C.

In considering the convict question, two general principles must be kept in mind. First, that a convict having committed a crime against society has been, during his arrest, prosecution and conviction a large expense to society and therefore should, as far as possible, compensate society for his crime and this expense. Second, it is necessary in the treatment of the convict and the work he is required to do to keep in mind that it is to the interest of society and of the state that the convict shall be in better condition physically and morally at the end of his sentence than when he began, so that he will be able to take his place as a member of society.

Formerly there was too much tendency to consider the convict as a collateral of the state out of which just as much income should be derived as possible, regardless of the effect that the methods employed might have upon the convict himself. The authorities did not seem to realize that the convict would some day again become a part of society and a citizen of the state, and would either be an expense to the state or be a source of income to the state, this being dependent upon the condition of the convict at the time of his discharge. Public opinion is becoming almost unanimous that the leasing of convicts for any purpose should be abolished; and, although it is still in vogue in certain states, there is in these states a steadily increasing sentiment against it and a demand that it shall cease. The convict, after he has been convicted and sentenced, begins to pay his indebtedness to the state, and we should consider this indebtedness paid when the prisoner is discharged; then he should no longer be considered a convict, ex-convict, jail bird or be designated by any other term, such as is constantly being applied to those who have had to serve a prison sentence; but they should be considered as citizens of the community and the state in which they live.

To my mind, one of the main objects of punishment of a convict is to bring forcibly to his mind the fact that he has committed

a crime against society, but that society will be ready to receive him again as a citizen if he makes good during the serving of his sentence, and for this reason every opportunity should be taken by the state to give the convict every chance possible to make a man of himself. There is no doubt that there are a great many men who have committed a crime against society who have not been convicted but are living as respectable citizens in their communities, and when we stop to consider that a majority of the so-called crimes that are committed are against laws that have been passed by a majority of the people and sometimes by only a small majority, showing that all society is not in accord with the principle involved in the law, yet because the majority votes favorably to it, the whole community accepts it as the best.

† The problem reduces itself to the question: What work should the convict do that will be for the best interest of the state and the convict himself, as I take it for granted that all believe that the convict should do some work. Any labor that may be required of the convict that is in direct competition with free labor is assuredly not to the best interest of the citizens of the state, inasmuch as it is liable to cause an unsettled condition amongst the laborers with which the convict labor is in competition. The work which the convict does should be of such character that the people of the state can feel that they are deriving some direct benefit from it. As stated before, we must not consider the convict as collateral out of which we are to make the greatest income. The methods that have been used by so many states for working their convicts, such as in manufacturing establishments, in mines, on farms, in turpentine forests and in the construction of railroads, do not employ the convicts in a work out of which the people of the state derive a direct benefit, and the work is largely in the interest of individuals and private corporations.

What better work can a convict be employed in doing than in the construction of public roads, considering it first from the standpoint of the greatest good to the citizens of the state? A public road is a public necessity and it belongs to all the people of the state. Everyone has the right and privilege to ride and drive on a public road, and a good public road is a blessing to every community through which it passes.

Considering the scarcity of labor in our rural sections, this is

one employment of convict labor which for many years to come will not in any way be in competition with free labor.

The finished product of such employment of convict labor is a good public road, which belongs to the state and does not have to be disposed of in competition with products made by free labor. These conditions cannot be obtained when convict labor is employed in manufacturing industries, in mining coal or other mineral products, in farming or in leasing convicts to railroads or other corporations. If convicts are employed in manufacturing industries and produce products other than what are actually required by the penitentiary in connection with the maintenance of the prisoners, it at once comes into competition with similar products manufactured by free labor and, if the time should ever come when the supply is much greater than the demand, the convict-made goods could probably be sold at a lower price to the disadvantage of the free labor products. And then again, if there was any serious difficulty in disposing of the product, there would be a tendency to lower the price in order to dispose of it. This is just as true in connection with the employment of convict labor in mining coal and other mineral products. In Tennessee, where state convicts are employed in mining coal from mines belonging to the state, considerable friction has been caused, and still exists, between the private operators of coal mines and the state, on account of the big advantages the state has in producing the coal to the disadvantage often of the private operators. By reason of three conditions existing at the coal mines belonging to the state, it is able to produce much cheaper than the private operators, and there is a tendency to sell at a lower price, thus bringing it into the sharpest kind of competition with the coal produced by the citizens of the state. These three conditions are: (1) The state mines have a constant supply of labor at all times; (2) this labor is not disturbed at all by strikes or labor conditions elsewhere; (3) through the State Railway Commission, it is no trouble for the state always to have plenty of coal cars on hand in which to ship the coal. From the above it can readily be seen that there is bound to be a great deal of friction between the Coal Operators' Association and the state, in regard to the employment of convicts in mining coal. This is a direct competition of convict labor with free labor and a product produced by convict labor with a product produced by free labor.

The same principle holds, however, in connection with the work of convicts on the farm, except, of course, where only a sufficient number are worked on a state farm to produce farm products for use in the maintenance of the convicts. Where large farms are bought up by the state and the state goes into farming on a large scale nearly to the full extent of its force, the convicts do undoubtedly enter into competition with free labor. And the convicts do not produce any product that is of any direct value to the citizens of the state, and, although there may be a considerable income derived from the state farm which goes into the general treasury, yet the citizen himself does not feel that he is deriving any direct benefit from the labor of the convict. All the above forms of convict labor do turn into the state treasury a certain amount of revenue which is reckoned as net profit from the labor of the convict and in part compensates for the expense of the county and state in the prosecution and conviction of the criminal. On the other hand, where the convicts are leased for the purpose of constructing railways, the chances are ninety-nine out of one hundred that the citizens of the state do not derive any direct benefit from the labor of the convict. The state usually receives for this labor, stock in the proposed railway, which generally is worth little. Very often the railway is sold for the bonds, so that the stock is of no value whatever.

Convict labor can, however, be employed in building public roads, so that the treatment of the convict, both in regard to his labor and health, will be carried out to the best advantage for the state, for the citizen and for the convict.

In the first place, it engages the convict in healthful occupation. It is hard work, and no man should be forced to work on the roads whom the doctor, upon examination, considers unable to do the work. It is outdoor work and, for the most part, in the country, where the air is pure and where there is plenty of good drinking water; and statistics show that the health of the convict who is employed in road construction and living in the convict camps is better than that of those in any other form of work. Of course, when I make this statement, I mean convict camps that are under the supervision of competent men so that the camps are sanitary, the rooms clean and the food well cooked, clean and wholesome. It costs no more to keep camps in this condition than in the opposite way, but it is necessary that they should be under state supervision and that



competent and reliable men should be in charge of the inspection work.

There have been, and perhaps there are still, abuses in convict camps, and prisoners have been mistreated, underfed, etc. I believe that the outdoor work not only improves the physical health of the convicts, but in many instances their experiences as road builders have actually improved their general character and prepared them for better citizenship. It is a matter of record that many convicts connected with the road camp who have behaved themselves properly and performed their work efficiently, thereby being especially trusted and trained by the ones in charge of the work, have, after the expiration of their sentence, obtained fair positions in or near the communities where they had previously lived in the convict camp. One objection that has been made to the use of the convict in road building is that the very publicity of the work in exposing the prisoner to the gaze and remarks of the passer-by would have a tendency to harden the criminal. This has not, however, been substantiated by any statistics that can be obtained regarding convicts. It is necessary that the prisoner be made to realize his indebtedness to society and to realize that the work required of him is simply in payment of this debt, and, therefore, in his road work he is simply paying off an indebtedness and fulfilling an obligation. I believe as our convicts begin to realize this it will have a tendency to make them see the justness of the punishment that is being meted out to them, and they will look upon their work as something to be performed not as a punishment but in the fulfilment of an obligation, and thus they will pave their way to becoming better men and better citizens.

The question of a uniform for the convicts who are working on the public roads is one that has been given very serious consideration. The suit of stripes worn by prisoners is simply a uniform, and it may be that this uniform should not be worn outside the penitentiary or stockades. That, however, is for the different states to decide. I see no reason why, under certain conditions, a khaki uniform could not be used to advantage for the squads that work the public roads, but it is necessary that some uniform should be adopted for the convict. This has been deemed necessary for laborers in cities, as, for instance, the white brigade of New York City.

The employment of convict labor in road construction permits of a permanent organized force which can be better maintained than with free labor. Anyone who has had anything to do with the construction of roads knows how hard it is at times to obtain sufficient labor with which to do the work that is required, and that it is almost impossible to keep a permanent organized force of men employed in road construction. With the convicts, however, such a force can be maintained, and, after the organization has been once perfected, it will be found that the actual cost of road construction can be reduced very materially from what it has cost proportionately by free labor. It is not economical to work convicts on the public roads unless the number in a squad can be fifteen or more men, for one guard can usually look after ten or fifteen men, and with a smaller number, the guard would have to be employed, as well as the superintendent, cook, etc. On the other hand, it is found that too large a camp is as unsatisfactory as one too small. The organization, therefore, of the convicts for road building purposes can be divided into camps containing a certain number in each, under the supervision of its superintendent and guards. After a few months' work, these squads become pretty efficient in road construction, and as they are moved from place to place throughout the state, they have very little difficulty in adapting themselves to the varying local conditions that they may find. Of course, many prisoners are committed to the roads for a few months, others for a year or more, but these short-term men can usually be detailed to camps where the majority of the men have been at work for some time, so that there is very little trouble in the new man becoming acquainted with the work that is required of him. I believe that it is very feasible to work the long-term convicts on the road, even those whose sentences exceed ten or fifteen years. These long-term men could be detailed to a certain road force or squad and in time would become rather expert in road construction and would form the nucleus in the squad from which the short-term men could learn the road work. In time these long-term men would be sufficiently familiar with the work to be put in actual charge of it as foremen. Others will become efficient in the running of the machinery necessary in road work, and in the end would become competent mechanics. By having the permanent force of men to build our roads it would be possible for the state to quarry and crush the rock necessary for

making the macadam road, and it would be found feasible and to the advantage of the state to build a stockade on the roads. Those men who were not strong enough to do the work could easily be employed as drivers to haul the stone from the quarry to where it was needed on the road. Then again, the work would require a number of blacksmiths for shoeing horses, sharpening mattocks, drills, etc., and this work could also be done by the long-term convicts who had shown by their behavior and deportment that they were to be trusted. Cooks would also be needed, and here again the long-term men could be used to good advantage. Thus, the whole force could be organized permanently and the very best results obtained in road construction. As the state has to pay nothing for this labor, and simply has to provide maintenance for it, many people speak of it as cheap labor, forgetting that the state has already been to very heavy expense in the conviction of the criminal, and that very often even a ten-years' service of the convict does not pay back to the state the actual amount which has been expended in his prosecution and conviction. The most important thing, however, in connection with convict labor is that it is a permanent organization, under the absolute control of the state, and when employed in building a good road it is performing labor from which all the people of the state derive direct benefit, as all the people have the right to use the public roads.

Another reason for using convicts for public road work is that it will free the community from the tramp nuisance, for, if there is one thing that this class of men despise it is work, and especially hard work. Many of them do not object to spending a certain number of weeks, or even months, in jail; but, if they knew that when arrested for vagrancy they would be sentenced to three or four months' work on the public road, they would keep away from such a community.

I believe road work is the best possible punishment for the common criminal and even for the other criminals. I believe, in the end, it is the best solution for the care of all classes of convicts. There are sufficient types of work connected with the road work so that the more intelligent and better educated men who are convicted of crime can do work connected with public road construction that is not actual work on the road itself, which can be performed by the common laborer. They can act as foremen, superintendents,

bookkeepers, blacksmiths, machinists, etc. Where the camps are well kept, and sanitary conditions are provided that meet with requirements that can be ordered by act of legislature, and where the food is prepared and served according to definite provision provided by law, there is no reason whatever why the convict should not be kept in the best of health in connection with his work. There have been abuses of the convicts, as I have already stated, in connection with the convict camp life, but if a proper prison commission is appointed which is non-political and has the best interests of the state at heart, there should be no reason for these abuses. It is to the best interests of the state that the convict be kept in the best of health, not only because it reduces expense and increases his efficiency as a laborer, but also because it increases the chances of making him a good, respectable citizen; and that, to my mind, is the object of the punishment and the state's care of the convict. I believe in separating the vicious and absolutely immoral convicts from the others in camp life and, if necessary, confining them within the prison walls. Simply because a man has been convicted of a crime does not mean that he is not capable of becoming a respectable citizen after he has once paid the penalty of his crime.

The state should do all in its power, as I have said, to impress upon the prisoner that the punishment the state has meted out to him is simply to make him pay a debt that he owes to the state and to society, and that when he has paid this debt, the state expects him to take his place in that society as a citizen of the state and not as an ex-convict. There are probably, I was going to say nearly, as many men who have committed crime who have not paid the debt they owe to the state for the crime, and yet are living as respectable citizens in their community and, in many instances, the crime is known. If this is the case, why should we not permit the man who has paid his debt to the state to become a respectable citizen without throwing too many obstacles in his way?

The result of working convicts, both county and state, on the public roads will be a system of good roads throughout the state. Some of the arguments that have been advanced against the use of convicts in public road construction are that it is degrading to the convict to have him exposed to the public gaze at all times, and also that it is harmful to children to come in contact with convicts as they pass along the public roads. Is it any worse for the convict to



be seen at work on the public road than it is for visitors passing through a walled prison curiously to look at the prisoners in their cells or at work in their work shops? Of course, on the roads the convict is seen by more people, but as they become accustomed to these men working on the road they begin to think less and less of it and simply look upon them as on any laborers who are at work building roads. If the squads of convicts are in khaki uniform, they will, of course, attract much less attention. The objection to the armed guard should not be taken too seriously. Armed guards are necessary in many instances, but why should serious objection be made to this when it is not an uncommon sight to see uniformed soldiers of the United States repairing roads around army posts and an armed guard in charge of the squad? On a certain class of people it may have a good influence in keeping them from committing some crime when they realize that if convicted they will be sent to the roads.

Another argument that has been advanced is that the state should try to train the prisoner to some useful occupation so that when he leaves the prison he will be able to take position at some trade. In order to do this, it will be necessary for the convicts to be used at labor which is in direct competition with free labor, which is objectionable. It would also mean the manufacture of products that would be sold in direct competition with products manufactured by free labor. It is my claim that in working convicts on the public road, there is an opportunity of developing the men according to their ability as blacksmiths, mechanics, expert road builders, contractors for road building, bookkeepers, cooks, etc. The bulk of the men, however, would be common laborers and that is all they would have been if they had not committed a crime, been convicted and sentenced to the roads. They will, however, have been trained as expert day laborers and can give good value for money received. And for this reason, I still think that we are providing work for the prisoner that is for the best interests of the state, the citizen and the convict.

One other phase of the employment of convict labor that I wish to speak of is the use of the honor system when the convicts are employed in working public roads. This has been used more or less successfully in Washington, Oregon, California, Colorado, Montana, New Mexico and Nevada, the convicts being worked on the public roads without stripes and without guards. Very few



men who become convicts are entirely devoid of a sense of honor, and if the state, in its treatment of this type of convict, will try to bring out and develop this spark of honor, which I believe a large proportion of the men have, we can put a great many of such men on their honor and work them successfully on the public roads without stripes and guards. As the convict begins to realize that he is being treated as a man and that just so long as he behaves himself he will be treated in this way, we will find that perhaps a large majority of the convicts can be placed on their honor. At the beginning, the convicts would have to be carefully studied, and only those of a certain known type should be put on the roads without guards. As the others show that they also want to be treated as men, those who can be trusted should, in turn, be given a chance on the public roads. The honor system is now in vogue to a limited extent in nearly all state penitentiaries where we find the so-called trusties allowed a great deal of freedom and used in all sorts of occupations where they would have numerous chances to escape if they desired to do so. Of course, most of these trusties are at the present time in stripes.

As we all know, the more incentive there is given to a man to work, the better he will work and the better results he will accomplish. I believe it is a good policy and the right thing to allow a convict a certain per diem for his work, this to be accumulative and to be given to him at his discharge or, at his request, sent to his family, and also that his sentence should be commuted so many days per month for each month he works on the public roads when he gives a fair deal to those who have put him on his honor.

## OUTDOOR WORK FOR CONVICTS—A SYMPOSIUM

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### I. COUNTY ROAD CAMPS IN ARKANSAS

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By JOE ASHER,

County and Probate Judge, Little Rock, Ark.

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The legislature in 1909 passed a law which permits county courts to form road and convict districts of several adjoining counties or of one county only, the condition being that the counties bear the expenses incident to working the convicts. All convicts whose sentences are under five years are completely under the control of the county judge of each county, with the exception that the county judge, county clerk and sheriff constitute a board to form rules for their government. As in this state the judge has the powers usually vested both in the county commissioners and the fiscal agent of the county, the matter is absolutely in his hands; he appoints those who work under him and makes his own conditions. So far I am the only county judge who has made a success of the road-making experiment, the others who tried it having, on account of the expense, returned their convicts to the penitentiary.

About eighteen months ago I formed this county into a road district and began working the convicts. I appointed a warden, who was bonded for \$25,000 properly to take care of the county property in his charge. He was given full authority to appoint a deputy warden and guards and discharge them at his pleasure. We then purchased a regular camp outfit and simply went to work. The camp consists of about seventy-five men, twenty white and the rest colored. I tried to use women convicts as cooks and wash-women but, after a fair trial, found them a nuisance and useless expense, so ordered them back to the penitentiary.

The camp, though of cheap construction, is a model, situated on a well-drained piece of land in a healthful locality. There is no vermin or sickness in the camp, as we enforce strict hygienic measures and feed and clothe the men so well that they thrive on the treatment and work well. We seldom punish a man, though the orders of the warden are strictly enforced. No man is shackled, but the guards

are ordered to shoot to kill any one who attempts escape; so far not one convict has been killed and only one wounded. The attempts to escape are comparatively few and only made by trustees who are used as teamsters. The maintenance and guarding of each man cost us about sixty cents per day and he does about eighty per cent of the work a free man would do. When the men are discharged they have no difficulty in obtaining work on the roads in this state if they so desire.

If I find the sentence of any man too severe or believe that he should be discharged or paroled, I promptly take the matter up with the governor or penitentiary board, and they have always honored my recommendations in the matter. When a man's time expires he is furnished with a good suit of clothes, \$2.50 in money, proper discharge papers and a lecture on the duty of a citizen. Most of the men discharged have personally thanked me for the kind treatment accorded them at the road camps.

The only opposition to this convict road work came from farmers who benefited by the construction of the road. Several, not all however, claimed that it took work from them, as they had used their teams on the public roads after their crops were harvested. The labor organizations heartily favor this method of employing prisoners. After the road was completed practically all were satisfied, and I believe that the camp is a good reformatory and that convict road work is to the best interests of the convicts and society.

## II. OUTDOOR WORK IN MICHIGAN

BY WILLIAM M. BRYANT,

Chairman, County Road Commission, Kalamazoo County, Mich.

Tramps and vagrants were a serious problem in Kalamazoo county—so serious that in 1908 the sheriff reported a total of 3,546 commitments. This was probably due to the fact that Kalamazoo was a wet county, surrounded by dry counties, and to it drifted many thirsty men who became hilarious and received from ten to sixty days' sentences. These, as a rule, were so-called one-term men and after their sentence expired they returned home or drifted to some other city, but their numbers made welcome the request of the Road Commission that county prisoners be worked on the public roads. The commission claimed that road-work would have a good effect on petty crime, and would eliminate the tramp nuisance, and, though this seemed a strong prediction, a deputy sheriff was appointed, given charge of the men and preparations were made to begin the work at once.

A squad of from fifteen to eighteen men was placed on the roads near the city, and brush, stumps, stone and other obstructions removed. When these roads were finished, the prisoners were taken out into the township, nearly ten miles from the city. Here two miles of brush along the highway was cut and burned and considerable ditching done. A house was rented and stoves, cots, bedding and other necessary articles installed. The prisoners were boarded at a nearby farm-house. At first the commissioners expected to work two crews of from fifteen to twenty men each, but decided to wait a few weeks to see what the results would be with one crew. The results were almost instantaneous. The news soon spread that Kalamazoo, known as one of the best feeding grounds between the two oceans, was a poor place at which to stop. After two months, the population at the jail had become so small that the road-gang was called in, and preparations made for making tile. Four men are needed at this work to keep it running smoothly. Part of the time but two prisoners were available, and the deputy sheriff had to act as third and fourth man. Three four-ton cement rollers were made, also a

twenty-eight-foot bunk house, warmed by a stove and well lighted, and with bunks on each side which would house eighteen men.

The outlook the following spring was not promising as to help from county prisoners; the jail was practically empty, and only one camp could be maintained with prisoners. Even at this camp, it was necessary, nearly all the time, to hire extra men, as the number of prisoners was too small to supply the dozen shovelers needed. Preference in hiring this outside labor was always given to discharged prisoners who had been good workers, in fact, the best help obtainable for such work. Two of the daily papers have generously contributed papers to this camp, and a public appeal brought in a large number of the best magazines.

Guarding the men so employed has not presented many difficulties. A few, during the early spring months, walked away, but an extra thirty days' sentence by the circuit judge overcame any inclination of that sort. Good food and good treatment have made the men respond readily to any call from the superintendent; and after serving their sentence, they come out clear-eyed, with hardened muscles and good appetites, willing to do men's work.

A comparison of the sheriff's book showed that for the months of November, December, January, February and March, the first five months in which this system was given a trial, there was a decrease of over 2,300 in the number of vagrants for the corresponding months of the previous year. The jail committee's last report, which covered a period of six months, showed ten vagrants. The police report for the month of November, 1910, recorded but one arrest for vagrancy. November has usually been one of the heaviest months of the year for "gentlemen of the road."

Prisoners, as a rule, leave jail penniless; so after some discussion, the chairman proposed to pay them for one day's work for each week of good behavior. This was put into effect, and now a sixty-day man gets \$12.50 at the expiration of his sentence. A new start is thus given him.

Convict road work is a two-edged sword—it works both ways; it is a clean, moral and physical uplift for the men, and, by making use of what has been waste material, a valuable by-product is created.



### III. GOOD OPPORTUNITIES FOR PRISON LABOR

BY HARRIS R. COOLEY,  
Commissioner of Charities, Cleveland, O.

The Correction Farm of Cleveland is a part of a great tract of nearly two thousand acres, or more than three square miles, on which are the tuberculosis group, the almshouse group and also an extensive municipal cemetery to be graded and developed by prison labor. The area is so large and diversified that the almshouse group is a mile and a half from the correction group and two hundred feet higher. Each of the four divisions is distinct on its own estate of five hundred acres. In seven years over eight thousand men have served time out on the farm.

We have found it an especial advantage that the correction farm is a part of a group of four estates comprising the two thousand acres. It secures the absolute control by the city of a vast environment of more than three square miles. In the colony or almshouse group and the tuberculosis group there are many who can only do light work. If there is to be furnished a large opportunity for light work in the fields and gardens as a basis for this, there must also be a large amount of rough, heavy work. This can readily be supplied from the strong, hardy men of the house of correction. Thus the institutions supplement each other in the fullest development of the farm.

If there comes as a prisoner an expert carpenter we can set him to work in the light, airy shops of the correction buildings, making mission chairs and tables for the old people. He is working at his best, which is good for him. In addition, he is conscious of adding to the comfort of some aged, or crippled, or sick resident of the farms.

In the spring of 1905 we began in Cleveland the outdoor treatment of crime by taking "trusties" and other prisoners from the city workhouse to our farms and lodging them in the old, scattered houses. Our farmer neighbors were frightened. Our friends prophesied that the prisoners would all run away. But the plan worked. Most of the men completed their sentences, giving faithful and

willing service. We ourselves have been surprised at times at the results of some of our ventures with these men. The confidence placed in them, the useful work in garden and field, the tonic of the sky and trees, developed a new sense of honor and a common sentiment that it is a mean and cowardly thing to run away from the farm.

A visiting judge said to me: "It is so fine out here, I should be afraid some of the prisoners would want to stay." Nearby a group of the men were shoveling dirt into a grading wagon. I said to him: "Judge, you see those men at work; they are drinking an abundance of pure water, they eat heartily, they sleep well. They say to themselves, 'This is not "made work," this is real, genuine work. Free men right over there are getting a dollar and a half a day for doing this.' The old prison cell, the food, the confinement of their labor, tended to depress them and to make them hopeless. This treatment quickly brings them to themselves and arouses the normal man. There is a psychological element, which you have not thought of and which we did not fully foresee, which makes these men more anxious to go back and again take their places in society and industry. At the expiration of their sentences they go out without the prison pallor, stronger in the face of temptation, and ready at once to do a full day's work."

There is a marked difference in the feeling of the prisoners. They work much more heartily. Some of them take great interest in the animals and the growing fruits, vegetables and grains. They are freer from jail sullenness and hang-dog ways.

When the contractor was ready to start on our correction square, there developed an unexpected scarcity of water. We built a concrete dam, dug out the earth for a pond, laid over a mile of two-inch pipe and in five and a half days had an abundance of water with forty pounds gravity pressure. The workhouse men entered into this emergency work with as much earnestness and enthusiasm as if it were their own. This spring, out of a group of fourteen prisoners, we asked for four men to volunteer to work on Sunday in the sugar camp. The entire fourteen freely offered their services in the saving of a large run of sap.

The trust and confidence which we, of necessity, place in them call forth the remnant of manliness which asserts itself. Its whole tendency is to develop in them a spirit of honor to do one's work

and to put away the thought of escape. Their language about it changes. To break out of the old prison is a "get-away;" to run away from the farm is to "take a sneak."

They have better air to breathe and better food to eat, and like the rest of us their dispositions are therefore more agreeable. They have an abundance of fresh vegetables in season, for they raise them by their own labor in their gardens.

Of these opportunities for useful work one of the most promising is the development of the cemetery. When developed this will be a magnificent municipal cemetery of five hundred acres which will bring back several millions into the city's treasury. The development is largely in the nature of walks and drives and the planting of trees and shrubs according to government statistics. Prison labor is most effective in building roads. These roads are private and are thus free from the objections of the public highway. Again, working in the cemetery may have some moral effect on the prisoners.

Allowing more than half the acre for drives and planting, there would be in each acre twenty thousand square feet still to be sold as lots. Fifty cents per square foot is a moderate amount to be paid for a burial lot in a large, well-kept cemetery. This would amount to \$10,000 an acre. This amount, of course, is not realized at once and must include and provide for future maintenance, but to those municipalities which maintain cemeteries it presents an opportunity for the profitable use of prison labor. It is good for the prisoners to work in the open, and because of its returns, it will justify the municipality in paying at least a part of what the prisoners earn to their families.

There are limitations, of course, to the outdoor method of treatment. Not all of the men committed can be trusted to work in the fields. Besides those who are locked in, we have two classes, the trusties and the semi-trusties. The semi-trusties work in gangs of twenty or thirty with guards or rather foremen always present. They are kept in the enclosure Sundays and holidays. We seldom have a man drop his tools and run. The temptation comes when not working. The trusties work on the farm sometimes entirely alone.

With this method I am confident that one-half the men can work under the open sky. Near the close of their sentences, it is

usually safe to assign outside work even to the more serious offenders. All of the men can at least be allowed the freedom of the great open court.

In Cleveland we have many prisoners sent to the house of correction for vagrancy. Some of them are self-committed. It is needless to enforce the strictest discipline in these cases. If the men run away and take care of themselves, the purpose of the law has been accomplished. If they disappear, the result is much the same as when the court orders them to leave town. If they are really seeking work, they stay with us, as we can help them to find employment. These cases make our reports of escapes, which are ten per cent, seem large, but it has proved the best method of dealing with our problem.

A penitentiary or state reformatory must of course be organized and managed differently. The general method has been tried in many places. At Witzwill, Switzerland, is a large tract of nearly two thousand acres with two hundred and fifty prisoners under sentences for as long as five years.

At Merxplas, twenty-five miles from Antwerp, is a great estate with five thousand prisoners, some of them with sentences as long as seven years. These five thousand irregulars and unfortunates are controlled and directed by a staff of only eighty wardens. Out of a barren waste they have made a million-dollar estate.

In the Berlin labor house at Rummelsburg, out of two thousand prisoners, one thousand work outside on the great sewage farms owned by the municipality. In France, Holland, Hungary and Italy the government has made successful experiments with the colony system for the treatment of offenders. On this side of the Atlantic, in the Province of Ontario, in Colorado, in Missouri, in California and in the City of Washington, a similar work is carried on.

Of necessity much depends on the personality of the warden and his ability to have his subordinates of like spirit. Too much emphasis cannot be given to the attitude and the personality of those in charge. With the right spirit and wisdom in the officials, there is no reason why this outdoor method may not be adapted to all of our penal institutions.

The growing feeling of interest on the part of the public in the work of the farm, and the fact that the men are really doing useful work, are now raising the question whether society ought not

to allow the family of the prisoner at least a part of what he earns, and also whether he should not have something paid to him at release so that he will be better fitted to take again a normal place in life. This awakened feeling toward prisoners is expressing itself in probation and parole, in prison schools, in homes and in employment bureaus for released men. It is also strengthening public sentiment that prison management should be utterly divorced from partisan politics.

At Cleveland the most important thing the correction farm has demonstrated is that the city has become kinder and broader with its more rational and humane treatment of its prisoners. The heart of Cleveland has grown in its sense of right and justice. Instead of contempt and malice, there has come a desire "to know the path up which the crime has come," and the general disposition to give opportunities for normal lives. The reflex influence is really the larger part of the benefit. For its own sake society cannot afford to be cruel and brutal to its meanest and most unworthy member. Russia is to reap a more bitter harvest than her exiles. Love your enemies is a good social law. Even though all the prisoners do not at once respond to this treatment and "make good," this does not destroy to society the quality of this mercy. Old methods often made institutions of detention breeding places for disease and schools for crime. Recent research has brought to light the fact that there are three times as much tuberculosis among our prisoners as in our general population. The moral contagion is revolting.

The vilest deeds like poison weeds,  
Bloom well in prison air;  
It is only what is good in man  
That wastes and withers there.

Civilization and progress no longer halt at the prison doors. Winston Churchill declared in the House of Commons that "the attitude of the public in regard to the treatment of crime and criminals is one of the best tests of the civilization of any country." The general movement of which the colony is a part is both timely and wise.



#### IV. EXPERIMENTAL ROAD WORK IN OHIO

BY JAMES R. MARKER,  
State Highway Commissioner, Columbus, Ohio.

The Ohio Highway Department employed convicts during the summer of 1912 in the construction of an experimental road, south of the City of Columbus. The convicts were taken each day from the penitentiary to and from the work in a motor truck operated by a convict. The distance from the penitentiary to the work was about seven miles. After taking the convicts to the work in the morning the truck returned to the penitentiary for other duties during the day, returning again to the work to take the men home in the evening.

The convicts were all colored men, and the number working each day varied from seventeen to twenty-five. One guard, unarmed, accompanied the convicts. There was no effort on the part of the men to escape, even though they were sometimes scattered along the road for a distance of half a mile.

From the fact that the road that was constructed was an experimental road and the type of construction frequently changed, it was necessary frequently to change the occupation of the men. Some difficulty was experienced with the class of men that were being worked when these changes came too frequently, and where the occupation of the men was changed several times the same day their work was not always satisfactory. However, where we could keep the men employed at the same class of work for several days in succession, satisfactory results were secured.

For the services of the convicts \$1.00 per day was paid to the board of administration, the board that has charge of the various penal and correctional institutions of the state. No part of this pay went to the credit of the convicts. There is now a movement on foot which has for its object the enactment of a law providing for paying the convicts, or applying to their credit, the sum of fifty cents per day for their services.

Although the small amount of road work done by convicts in

the state might be said to be experimental, yet enough has been done to prove that good results can be had in building a road where the type of construction does not frequently change. It is also believed that if even a small wage be paid the convict, or placed to his credit, still better results will be secured with a more humanizing effect upon the convict.

## V. THE WORKHOUSE AS A REFORMATORY

BY FRANK R. McDONALD,  
Superintendent, Minneapolis City Workhouse.

The primary object of any penal institution, or house of correction of any kind, should be the reformation of the human beings who come under its care. This is especially true of institutions known as workhouses, because what might be called human waste of all kinds finds its way to their doors, and every phase of criminality is represented in them; cripples who are discards in the battle of life, broken-down criminals who are unable to return to a life of usefulness, unfortunate old men without adequate means of support, unable or unwilling to secure remunerative employment, those who have seen better days and have become homeless and have lost all ambition to cope with the affairs of life, become, through one cause or another, dependents upon the workhouses for support.

About twenty per cent of the total population of workhouses is made up of these classes, and the problem of their care is not a difficult one, because if they were the only class with which we had to deal, the care of their surroundings and of each other would be about all that reasonably could be expected from them.

The real problem is in the care of the other eighty per cent made up of two distinct types. Twenty per cent of these are made up of men between the ages of eighteen and thirty-five years, many of whom have not yet become confirmed criminals, but who are on the borderland of criminality, and who, unless some saving hand, human or divine, reaches them, go from bad to worse and finally swell the population of state prisons or long-term reformatories.

The greatest part of the workhouse population, however, is made up from a class of men who are neither criminals nor criminally inclined. They are for the most part every-day working men who, through their appetite for liquor and the excessive use of intoxicants, become a menace and nuisance to society, or to their families, so that the law finds it necessary to place them in confinement for short terms; they come from every walk of life—laborers, artisans, book-keepers, clerks, farmers, etc.

Many of the workhouses of the past, and in some instances those of the present day, were conducted on the supposition that the arrest and conviction of a man upon any charge was positive evidence of criminality in him, the dominant idea being to throw him into a place of confinement and treat him as harshly as possible. There seemed to prevail a feeling of vindictiveness towards the so-called criminal, and seldom indeed was any thought bestowed on the moral training of the man, with the result that when a man left an institution managed on lines of brutality, a spirit of revenge was fostered in his mind, and, believing an injustice had been done him, he was in every way nearer being a real criminal than when he entered.

Personal contact with the average man sent to the workhouse has convinced me that while evil may predominate in many, in every one there is an element of good which can be brought to the surface by proper direction in teaching him in a kindly way the necessity of obedience to law. If this is true, it is then the plain duty of every board in charge of workhouses to see that the institution is managed on reformatory lines.

The first principle then of the workhouse management must be the building up of an organization on the basis of doing the most good for the inmates. To this end, discipline of a high order must be maintained among the employees and the inmates. The superintendent or warden should be held absolutely responsible for everything, and, by consent of the board, should be made absolute master in order to secure the best results. He should have full and unquestioned power to hire and discharge all employees, and political appointments should be barred absolutely. It is impossible for any man to manage successfully any penal institution and attain the best results if the positions of his subordinates depend upon their political pull, either with the city, or the board of management, or the superintendent, and unless politics are divorced absolutely from penal institutions it is only a matter of time until failure overtakes the management.

The superintendent should be chosen, not because he is a good politician or because he is an especially good farmer, mechanic, physician or an educator, but for his executive ability in organization, for his fearlessness in choosing or discharging his employees; he should have a heart that can feel for his fellow man, a head that can plan for his betterment, a personality that can command respect and an honest

intention to do what is right and best for those more unfortunate than he.

It is unfortunate for many of our large cities that the idea prevails that workhouse labor is almost useless and so is regarded as a dangerous liability, when in reality it should be a useful asset; for the community that does not furnish useful, productive employment to its workhouse inmates not only does an injustice to its taxpayers, but also is guilty of gross and criminal injustice to the inmates as well.

Starting out upon the theory that the average man cannot be reformed by harsh treatment, that to mistreat him is the surest way to engender hatred and resentment, there should be established between the court that sentences the prisoner to the workhouse and the keeper of that institution, a system of cooperation so that when the man has suffered enough for his offense against society, he may be released on probation and given an opportunity to go out into the world and show his ability to become again a useful member of society. This system is in force in the City of Minneapolis, with the result that many a man has been made a good husband or father and sent out into the world with hopes of a better future, instead of having been kept until his mind became embittered by too long confinement.

One of the great problems of workhouses is the character of employment furnished inmates, and I wish to emphasize the statement that I have no sympathy with the sentiment of makeshift work for prisoners. I believe that every man sent to workhouses for breaking the law should be made, through the product of his toil, to return to the treasury every dollar paid out for his maintenance and care. He should be given hard, useful, productive employment, sufficient not only to maintain him while there, but also to make him realize that he was put into the world for something other than loafing and living on his fellowman.

Having described to you in the beginning the class of men who usually inhabit workhouses, it follows that due consideration must be given to the employment the man is best fitted for, and what class of labor he will be most likely to take up upon his release. In order to accomplish the best results, every workhouse of any size should provide diversified occupation for its inmates. Greenhouses and garden work are suitable for the old and infirm, and the general



work of the house will also keep them employed. Every city has also its hospitals for the poor, where flowers and plants raised by the workhouse greenhouses bring sunshine into the lives of the crippled and paralytic inmates. Farming on as large scale as possible, the planting and cultivating of vegetables, on the most approved and scientific lines, is another employment well suited to the labor of workhouses. I do not mean just makeshift work, but real farming such as a man would be obliged to do if he were earning his living through it.

In locating workhouses, due consideration should be given to the character of the soil; if possible, it should contain some constructive material, such as stone, sand, gravel or clay. When you take into consideration the class of men who come to workhouses you must realize that the closer you stick to the natural products of the earth, the more good you do the man by keeping him close to nature. He should be taught to take his material from the earth and to manufacture it into some useful article. Each day of his labor should show sufficient profit to reimburse the community for the cost of his care. There should be direct cooperation between all the departments of a city or county government, so that the products of the criminal classes in workhouses could be utilized in building up the departments supported by the taxpayer.

I speak of productive employment because I believe when a man knows he is creating something useful he takes an interest in what he is doing; in this class of labor he is not humiliated, but is being educated in a way to make him a useful citizen upon his release.

I think the time is not far distant when every community will see the advisability of a centralization of all municipal dependencies under one broad system, where the pauper, the incurable cripple and paralytic, and the other dependents of the community can be intelligently cared for in separate and suitable quarters. Your so-called criminal population increases in just about the same ratio as your total population, and the same is true of your incurables and dependents. This being true, does it not seem that the law-breaker, who is generally in the best of health, should be made, through the product of his toil to contribute to the support of that other large and more unfortunate class of dependents?

The institution over which I preside is as yet a long way from reaching the ideal state. I do not wish to speak of it save as an object

lesson in what can be accomplished in a workhouse with a daily average of 150 men and 22 women. Within one year, we manufactured 3,000,000 building brick, with a market value in the yards of \$16,500; we built a new cell room and administration building, saving the city \$20,000 in its construction; we built a four-story hospital for tubercular patients, saving the city at least \$18,000; we furnished the city hospital with all its ice, and have given to Hopewell Hospital all its common labor, such as cleaning and laundry, and furnished its bread and vegetables free of charge; while the total cost of operation, including salaries, maintenance of manufacturing plant and prison grounds, did not exceed \$24,000, a clear profit to the city, if we are credited for it all, of over \$30,000.

Inmates of workhouses should be kept constantly employed at least eight hours a day. They should have plain but wholesome food, with surroundings in a clean and orderly condition; they should be allowed at least two hours out of every twenty-four for reading and study, and they should be comfortably dressed, and should be given an occasional vacation from the usual imposed silence, in order to keep them from becoming morose.

I have dwelt at some length on the requirements of workhouses and the physical treatment of the inmate, because I believe reformation must begin by teaching him the value of obedience. I wish to touch upon another side of the subject which seems to me to be of vastly more importance than all the successful business accomplishments of the ablest manager, that is, the saving of the man himself and the conservation of what is best in him, by educating him for better things.

With most men, liquor drinking has become a disease—at least some of our ablest physicians have so stated. If inebriety is a disease, and eighty-five per cent of the population of workhouses reach there through that disease, either directly or indirectly, and if medical science has developed a medicine that will cure the disease, is there any reason why there should not be established in every workhouse in this country a cure for inebriety? Are not most workhouses taking in the drunkard and turning out the drunkard with the same appetite with which he entered? Is it fair to him and to the community that workhouses should go on from day to day, and from year to year, and make no effort to cure this disease in the inmates, that makes mothers and children hide their faces at the name of the

father, that brings misery, degradation and starvation, morally and physically, into so many homes? Then, again, what better place can you find for the cure of inebriety than a well-conducted workhouse? It is so vastly superior to the average sanitarium for the particular purpose, and furnishes every requirement necessary for a thorough renovation of the system; discipline, steady application to work, plain, coarse food, long enforced rest at night and no dissipating hours. I do not speak of this without experience. In three hundred cases treated in the last three years in the Minneapolis City Workhouse, sixty-five per cent have stood firmly to their determination not to return to liquor drinking. Many have fallen by the wayside, but the percentage is so satisfactory to us that I advocate the adoption of the system in every workhouse in the country.

In conclusion, let me say that the management of a workhouse should be looked at from a purely business standpoint, and it is the duty of the management to do what is best for the inmate and for the community: first, in the conservation of all that is best in the man, by educating him for better things; secondly, in making the burden of caring for the so-called criminal class as light as possible for the taxpayers; thirdly, in an endeavor to establish, not a prison or a place of punishment, but rather an industrial school. Then, as the institution increases in population with the growth of the community, and the wealth produced by the inmates becomes greater than is necessary to care for and maintain them, let an even distribution of the surplus be justly apportioned to them that they may go out into the world prepared, morally, physically and financially, to take their places among their fellowmen as upright citizens.

When this state of development has been reached, armed guards are no longer necessary, and in their places, sympathetic instructors may be installed, and all that will be required to make the workhouses as successful as their original founders intended them to be will be good common sense, good business judgment and square dealing with fellowmen.

## ONE YEAR OF HONOR SYSTEM IN OREGON

BY PHILIP E. BAUER,  
Chief Probation Officer of Oregon.

A great deal is being said of late about "The Oregon Honor System" or "Governor West's Honor System," referring to certain treatment of prisoners in the Oregon State Penitentiary. Many letters of inquiry are coming to us, asking us to define this much-talked-of policy. Representatives from the press from all parts of the country are frequent visitors, snapping us from all sides and heaping upon us an avalanche of questions relative to this system. At home and abroad we are called upon daily to define, analyze and explain what we mean by this method of dealing with prisoners.

I desire to meet your inquiry, which is a common one, and bring to you a little glimpse of this system as it is at work. It may prove a little disappointing to you if you have been over indulging your imagination. Or if you are inclined to idealism, it may cause you to heave a heavy sigh. It may, however, be the means of awakening your sympathy and giving you a better understanding of the great problem of dealing with prisoners, which has taxed the ingenuity of statesmen and social students for ages.

In the first place, it must be confessed that it is a difficult matter to define what we mean by such a system. Of course we could evade the definition as the boy did who was asked to define life, and replied in his simplicity, "life is living." So we might say that our Honor System is simply putting men on their honor. It is part of that, whatever that means. To attempt the definition briefly and comprehensively, our honor system is that system of treatment of prisoners in which we recognize some of the dependable qualities of the men and put these men on honor to use these qualities in service for the state, and in which we substitute for kicks and frowning guns so far as we are able, other incentives to be somebody and to do something; thus attempting little new but putting new emphasis on the declaration in our state constitution which says, "Laws for the punishment of crime shall be founded upon the principle of reformation and not of vindictive justice," thus surely antagoniz-



ing the old primitive idea of repression and magnifying the newer idea of expression and unfolding of the latent powers found in every man, of loyalty, friendship and patriotism.

Most men are responsive and reflect in life and deed the treatment accorded them. If cruelly repressed, they come back with bitter antagonism. If hated, they hate back with fury. If trusted they trust. If honored, they respond with honor. If the state has to punish, and it surely does, it can do it with the hand of love, knowing that men will respond to such treatment, and knowing too that outlawry and open rebellion will be superseded by law observance and loyalty. Our system, then, recognizes that men are reflectors and that the expression of confidence on the part of the governor, superintendent, warden or other officers, as well as of public opinion, will be responded to by the prisoner. As he is appealed to by honor and sympathy rather than by fear and hate, he will try to be as good as possible, and if given a chance, will make good if possible.

It works. Of course we who know how it works, know that it does not always work. Some men are too weak to respond to the greatest confidences placed in them. Some men will try with all the possibilities of their soul and fail because of accident or because of bad environment. But, nevertheless, it works. It cannot help it. A thing that is right always works somehow, sometime, somewhere. Over two hundred men of the four hundred and fifty men under sentence here are trusties—out daily without guard, trusted to return at night, and honor bound to do a fair day's work. It is a fair sight to see over two hundred prisoners wending their way to work with only a foreman unarmed attending as sponsor for them. The honor system reaches over one hundred men on parole and conditional pardon. They report once a month or oftener their whereabouts and what they are doing. The honor system goes even further. Of the two hundred men still kept within the walls of the penitentiary, many are holding positions of responsibility and trust, and are honored in many ways. All, save the few who have proved unreliable, are honored by the privileges of attending the Saturday baseball game and the Tuesday evening moving picture show. Every man in the institution is honored with the advantages of night school, religious services, fresh air and work.

But it is not to be supposed that our honor system and our confidences have gone to seed. There is still a stern but kindly



discipline that prevails here. When honor is bestowed, we have a feeling that it ought to be returned in kind. A man much trusted surely is to be even more severely dealt with if he turns down such an offer. Our severest punishments are hanging up, stripes, "hog table" (as the boys call the third table), privileges denied and loss of "good time." There are now sixteen men in the "zebra row" (in stripes) who have sinned against prison grace.

Neither must it be assumed that the honor system is altogether a new system of treatment of the prisoner. While the Oregon State Penitentiary has had a bad reputation for severity in punishment, and in early days the practice was the reverse of the honor system, still for the past ten years there has been a growth to our present position. If this system is now thriving well, it must be remembered that the planting was in the past, and it is now, under the fostering care of our enthusiastic Governor West, coming to bloom.

Does it pay to waste our honor and sympathies on prisoners? Do they escape and break paroles? Yes, they do, but our proportion of escapes, notwithstanding the big percentage that are free to take to the tall timber whenever they may desire, is just about the same as it was in other years in this institution when men were guarded by cold steel, and is about the same as you will find it in other institutions to-day where fewer men are trusted outside of the walls. But the profit of the system is to be noted. Two camps of our boys are building good roads, that which Oregon needs most. All the state institutions located about Salem have been the special recipients of our honor system. New buildings and beautified grounds speak in no uncertain sounds the praise of this system. But above all the men themselves are being tried out for the coming honors of parole and for useful citizens, when they have passed the period of parole probation. Every man is a better man because he has been tried on honor and finds he is able to respond. This is the profit beyond dollars and cents.

It will last. The spirit of the thing will last even if the method and form pass away. If our prisons are to be true reformatory institutions, no other method can maintain. Men can only rise when down, by the helping hand that helps them to help themselves; vindictive kicks do not help them up, but send them down the slope. Most of our criminals have been kicked and repressed until they are knotted in body, mind and soul, but these same repressed ones

the more quickly respond to honor that is bestowed upon them. They cannot escape a genuine boost by being trusted and honored and respected as having some worth to society. But we must learn to substitute a genuine brotherly feeling for some of the effusive sentimentality—then we may hope for a more permanent result. With all its weaknesses, we believe this system has come to stay.

We are hoping still for better things. The Oregon State Penitentiary is a sociological experiment garden. For years we have been doing as other prisons, facing many difficulties, but we feel that the Oregon honor system is a fair flower that grows in this garden. If you will allow the extravagance of the figure, we think that we have out-Burbanked Burbank in our garden, but we are still pruning and cultivating for improvement.

## ILLINOIS JAILS AND THE KANGAROO COURT

BY HASTINGS H. HART, PH.D.,

Director, Department of Child Helping, Russell Sage Foundation.

The Illinois State Charities Commission has just issued its second annual report. The jail inspector relates a plain, unvarnished tale which would be incredible if it were not authoritatively attested. Having been an inspector of county jails for fifteen years, I know from personal observation the dreadful and almost incredible conditions which exist in most of them. While there have been extraordinary improvements in the administration of state prisons and state reformatories during the past thirty years, there has been very little if any improvement of the condition of county jails and police stations. The jail ought to be and might be the most effective reformatory institution in the land. The jail receives the prisoner at the moment of opportunity and in the crisis of his life at the time when he has first fallen into the hands of the law, and when he realizes for the first time the inevitable results of the reckless course which he has been pursuing.

What do we do with the delinquent youth? We thrust him into a vile, unsanitary jail. We expose him to public view in a steel cage like a wild beast in a menagerie. We force him into idle association with the worst characters that can be collected and we establish at public expense a free school of vice and crime. It is to be hoped that the Juvenile Protective Association of Chicago will establish a state-wide organization to deal with the conditions equally abominable which exist throughout the State of Illinois.

The following extracts from the report of the commission relative to county jails illustrate the situation:

It appears to be almost impossible to arouse public attention to the glaring wrongs. Indifference chills every effort toward reform. . . . All that we said in our last report would bear repetition in stronger terms. There is no cause in the betterments noticed in the sanitation of jails to warrant the withdrawal of one word of our condemnation of the jail system in Illinois. (Pp. 42-43.)

Last year only eight jails were found in which clean sheets and blankets

were provided weekly. This year there is an improvement denoted by five: the total is thirteen. (There are one hundred county jails in Illinois.)

Seventeen sheriffs this year report that they do not detain insane persons in the jail. . . . Twenty-six counties which have made special provision for this class do not, however, keep the quarters clean and in proper condition. In the main, this provision consists of ill-ventilated, dirty, padded cells. . . .

The inspector found that the law requiring segregation of minors (ch. 75, sec. 11) is absolutely violated in seventy-two of the one hundred counties visited. The sheriffs are unable to comply with the law while their county boards fail to provide adequate quarters for minors. Including sixteen children under sixteen years of age there were found this year 152 minors in jail . . . most of whom were confined with murderers, thieves and criminals of all classes. (P. 44.)

More than half of the jails are so unsanitary that the sheriff cannot possibly maintain them in "good and sufficient condition and repair" as the law requires. (Ch. 75, sec. 1.)

There are eleven counties wherein no provision is made for women. Many counties comply with the letter of the law which requires separate cells for women, but fail to segregate their cells from those of the men. (P. 45.)

#### *Kangaroo Courts*

"There has been an increase in the jails which permit the Kangaroo Court from 25 in 1910 to 29 in 1911" (p. 44). The "Kangaroo Court" is a voluntary organization of prisoners in jails, one by which a rough discipline is maintained, incoming prisoners are hazed, prisoners are assigned to work in the policing of the jail, and in some cases fines are imposed and collected. In other words, prisoners are compelled to work, contrary to law, are disciplined by their fellows and in some cases are actually robbed with the connivance and consent of the officers in charge.

On page 300 the inspector reports as follows: "Knox county prisoners have a Kangaroo Court, but the sheriff carefully supervises it; for example, he will not allow the prisoners to fine one another unless the person fined agrees to it." This statement implies what is doubtless true, that in other jails prisoners are fined whether they agree to it or not; but it makes little difference; the prisoner is likely to "agree" when he knows that he will be hazed or beaten if he refuses. On the same page the inspector says, "There is no place for minors. . . . At the time of inspection, five minors of nineteen years of age, and one, seventeen, were placed in jail with the men." On page 312, reporting on the Peoria County Jail, the inspector says, "The men do most of their own disciplining by means of the Kangaroo

Court. They have two dark rooms for punishment cells, but the usual method of dealing with a man who has violated one of their laws is to sentence him to hard labor." On page 316, reporting on the Rock Island County Jail, the inspector says, "The prisoners have a Kangaroo Court; from the revenue they take two daily papers and buy their tobacco and shaving soap." On page 322 with reference to, the reporting on the Vermilion County Jail, the inspector says "The prisoners in the various wards have Kangaroo Courts. As they are allowed to keep their money in jail, it would be very uncomfortable for prisoners who refused to join the court and thus failed to contribute their money for the purpose of newspapers, tobacco and other articles which the county does not furnish."

The jail inspector's report of sixty pages is a sickening chronicle of dirt, filth, vermin, bad air, over crowding, lack of proper discipline, idleness, enforced association of the insane and criminals, deliberate violation of the laws with reference to the separate court of children and minors and inhuman treatment of the insane.

The chronicles of John Howard with reference to jails of Europe and George Kennan's vivid description of the Russian prisons are no worse than the conditions officially set forth in this report.

The following extracts from the inspector's reports taken as they come will serve as illustrations:

#### *Adams County*

The sunlight never reaches the fourteen cells located in the interior of the jail room. No provision is made for minors; in violation of the law, they must be placed in the main jail.

#### *Alexander County*

The seventeen prisoners shuffle up and down a corridor about thirteen feet long, dark, damp and ill ventilated; this is all the exercise afforded them.

Quantities of disinfectant are used, but as the county provides the men no change of clothing, no bathing facilities and neither washes the bedding nor equips the men to wash them decently, vermin of all kinds infest the place. . . .

Two separate cells are provided for women; they are dark, damp, ill-ventilated; the toilets are unsanitary, the bedding is dirty. Insane are placed in the jail with other prisoners, unless one of the cells for females is unoccupied.

#### *Carroll County*

Two boys of seventeen and nineteen were in the jail at the time of inspection. They were allowed the freedom of the entire jail, which consists of a single cage for men, women, children and insane.



*Clark County*

There is a rusty iron cage with four cells each 6 x 11 x 7. . . . It is necessary to place six prisoners in a cell when the jail is crowded. . . . The women's section adjoins that of the men. Communication between male and female prisoners is easy.

*Crawford County*

The jail is an old stone structure, dark, damp and ill-ventilated. Men, women, minors, insane, must all be confined in one jail-room. . . . The bedding is never washed. There is no bath tub.

*Coles County*

Women are placed on the second floor; men are not usually placed on the second floor when there are female prisoners.

*Cumberland County*

Women occupy three iron cells on the second floor. As the approach to these cells is of wooden construction, the danger from fire is obvious. No bath or toilet is supplied for the female department.

*DuPage County*

Women are placed in any of four cells which face the sheriff's office. At the time of inspection, a delinquent boy and a delinquent girl, each fourteen years of age, were occupying two of these cells. They were not locked in.

*Franklin County*

Many of the comforts used in the jail are very dirty; there are some bed-bugs. Blankets which can be washed should be used, and prisoners required to change their clothing weekly.

*Gallatin County*

The jail-rooms are ventilated by means of a few windows one by two feet. Openings, about the same size, serve as doorways. The entire interior construction is of wood; there is no fire protection. No plumbing or sewage is provided.

*Greene County*

At the time of inspection, there were four minors in the jail. They were not separated from the older men. One boy nineteen years of age has waited trial for about six months; his offense is having stolen and sold a pair of rubber boots.

*Hamilton County*

The jail is condemnable from every point of view. It is damp, ill-ventilated, the cells are dark, there are no toilet or bathing facilities. No provision is made for minors.

*Jasper County*

The jail is old and has been condemned for many years. The plastering is broken in many places; the wooden construction throughout the interior renders it an unsafe place of detention. . . . A woman was confined in a dilapidated old cell. No bathing facilities are provided for men or women.

*Jefferson County*

Cots, furnished with springs, mattresses and comforts are used for beds. As the comforts cannot be washed satisfactorily, many of them are badly soiled. The deputy sheriff, who acts as jailer, states that the comforts and many of the old mattresses will be burned immediately, and that blankets will be purchased in the future as they can be washed.

*Logan County*

Old mattresses, placed on the floors, are used as beds. Men must wear their own clothing in jail, a fact which makes it necessary to use large quantities of disinfectant to get rid of vermin. A padded cell in the main jail has been provided for insane men. It is musty, there is no ventilation; the padding affords a nesting place to rats and mice. The present sheriff has remained up during the night with insane patients who begged to be released from this dungeon. It is to be hoped that the county officials will make it possible for the sheriff to meet the requirements of the law with reference to jails.

*McLean County*

The jail should be condemned, as it is so dark that artificial lighting is necessary during the day; it is ill-ventilated; and insufficient provision is made for compliance with the law for segregation of minors.

*Madison County*

Minors are placed in the main jail, with older offenders. At the time of inspection, eight minors were detained with older and hardened men.

*Marion County*

Rats and mice abound, as the walls and floors are full of holes. The jail is extremely damp. The jail is unsafe as a place of detention; it makes no provision for compliance with the law for segregation of minors. It is damp and unsanitary in every particular.

*Massac County*

There is no bath tub. The county allows nothing for washing, so the men wash out their clothing in water, which they warm upon the heating stove. The county does not supply prisoners with clothing, towels, razors, reading matter.

*Menard County*

As the windows are about twenty feet from the floor, the cells are very dark and ill-ventilated. The jail is so dark that artificial lights must be turned on all day, and the law requiring separate provision for minors is not complied with. No turnkey is provided, but a "trustee" is allowed to tend the jail at times.

*Moultrie County*

The inside construction of the jail-room is of wood, only the cells being lined with iron. As the escape from the jail consists only of wooden stairs, it is very dangerous to confine prisoners here.

*Peoria County*

As the county allows nothing for washing, the men are required to clean their own towels, bedding and clothes. The dampness of the jail renders it almost impossible to dry woolen blankets, so the bedding is aired daily, and replaced when it becomes very dirty.

*Rock Island County*

The juvenile department is on the second floor, above the men's department. There are but two cells, so most of the eight minors present sleep on the floor. Bedbugs and rats abound in this department. The air is bad. It is scarcely to be hoped that the young men of seventeen, nineteen and twenty confined here, will learn the lessons of good citizenship in this dungeon.

*Williamson County*

Although the county does not supply a change of clothing, and comforts which cannot be washed satisfactorily are used for bedding, the present jailer has managed to get the bedbugs out of the cells.

The conditions found in the county jails are no worse than those which exist in the police stations and average lock-ups of the state which are without official inspection, and the conditions in the jails of Illinois are no worse than those which may be found in nearly every state of the Union. A bill is now pending in Congress for the establishment of a government commission to examine the condition of jails and prisons in which United States prisoners are confined. This bill was earnestly advocated by Attorney-General Wickersham and ought to have the support of every good citizen.

## NEW HAMPSHIRE'S EXPERIMENT IN USING PRISON LABOR TO SUPPORT PAUPERS

BY ELWIN L. PAGE,

Chairman, Workhouse Investigation Commission, Concord, N. H.

In the early history of the State of New Hampshire the legislature made provision for workhouses for the support and maintenance of the poor and the punishment of idle and disorderly persons. By an act passed in 1791 the various towns were authorized to provide such houses if they saw fit, while the various counties were empowered to institute houses of correction for minor offenders. As the laws of settlement then in vogue did not require the counties to do much by way of support of paupers, no provision seems to have been made for county almshouses.<sup>1</sup> This was the time of transition from the ancient process of binding out the poor to labor to the newer method of keeping them at poor farms. Both methods were at this time legal.<sup>2</sup>

Such substantially was the situation until 1828. In passing, it is worth while to mention the fact that this period apparently saw the emergence of the idea of out-of door employment for prisoners. The justices of the superior court were authorized in 1816 to fix the limits of the jail-yards in the several counties at not more than 200 rods "each way from said jails."<sup>3</sup>

In 1828 the legislature took the next step, by authorizing counties to maintain lands and buildings, not only for a house of correction, but also for the accommodation, support and employment of the poor who might be chargeable to the counties.<sup>4</sup> But the evolution was slow, and as a matter of fact the poor were mostly cared for by the towns. From 1828, therefore, there was for a time a system of poor relief mainly by the towns and upon town farms. Upon these farms, in many cases, were town houses of correction, but on the other hand many towns made no provision for offenders and in such case idle and disorderly persons (which in those days included jugglers,

<sup>1</sup> *Laws, 1797*, pp. 345-348. In default of county houses of correction, minor offenders under county jurisdiction were confined at the common prison (county jail).

<sup>2</sup> *Perpetual Laws, 1789*, p. 172; *Laws, 1797*, pp. 348-349. The time of transition spoken of was of long duration. Even in late provincial times some towns maintained workhouses for the poor. *Provincial Laws, 1771*, ch. 61, sec. 7.

<sup>3</sup> *Laws, 1816*, p. 95.

<sup>4</sup> *Laws, 1830*, p. 302.

pipers, fiddlers and adepts at magic art) were sent, in default of a county house of correction, to the common jail.<sup>5</sup>

The actual institution of a county farm, though legalized in 1828, did not occur until 1846, when Hillsborough county, the most populous, set the example. It is interesting to note that industrial pressure, and not legislation, produced the county farm. The middle of the nineteenth century was marked by the influx of a large Irish and French-Canadian immigration which displaced the native stock as operatives in textile mills. The generation which saw the passing of the mill-worker of whom Lucy Larcom at Lowell was an advanced type, saw the county farm come in and the town farm go out. The new workers, unattached to the native soil and with no accumulation of prosperity behind them, ill-paid as all new workers are, were peculiarly apt candidates for the almshouse. Having no town settlement, they became county charges upon becoming paupers. It was soon apparent that the county could more cheaply care for them in a centralized almshouse than by allowing them to go to the various town farms, where the county must pay their board. Moreover, the town farms were not lacking in the abuses common to such institutions, and a county almshouse could give the paupers better treatment. Naturally Hillsborough, the textile county, first felt this pressure and first met the need. By the early seventies, all ten counties had their poor farms.

The great majority of paupers having now no town settlement and the population of the town almshouses being restricted to town paupers, the municipalities soon found the upkeep of local almshouses too expensive. Town farms were sold in large numbers and town charges sent to county farms. This shift was accelerated by the passage of a law in 1875 abolishing all town pauper settlements acquired prior to 1860.<sup>6</sup> Soon the universal practice was for town paupers not given out-door aid to be sent to the county farm, where the town paid their board<sup>7</sup>—just the converse of the situation before industrial immigration set in. Towns may still maintain farms, but only one chooses to do so.

The centralization of paupers into county groups having been thus effected, it remained to bring about some centralization of the

<sup>5</sup> *Laws, 1830*, p. 303; *R. S. (1843)*, pp. 137, 139, 225, 462; *G. S. (1867)* cc. 24, 74, 75, 268. To this day the law as to binding out paupers persists, although it is obsolete.

<sup>6</sup> *G. L. ch. 81*, sec. 6.

<sup>7</sup> Such disposition of town paupers was legalized in 1860.



minor offenders. Most of the latter being dragged into the local police net and sentenced by the local justice or police court, have always been viewed as in a sense wards of the town. As already seen, they were sent to one of the following institutions, in order of preference: (1) the town house of correction, at the town farm; (2) the county house of correction; or (3) the county jail.

With the gradual abolition of the town farm, the first institution disappeared. At first, the counties having made no provision for houses of correction under the laws of 1791 and 1828, the only alternative was to commit the prisoners to jail. There, however, they languished in the idleness typical of the county jail; for the vision of the 400-rod jail-yard caught in 1816 had vanished.

Hillsborough county again led the way, and in 1869 instituted a house of correction in connection with its poor farm. The county commissioners, in their report for that year (p. 6), assign the two advantages of this new venture which apparently were paramount in their minds: (1) the desirability of not having simple drunks or slight offenders go to jail with hardened criminals; and (2) the fact that the six prisoners confined at the farm earned their board, whereas at the jail the county must have allowed the jailer their board and key fees. The second reason, on the whole, seems to have been the weightier one. It was the one relied upon in Rockingham county;<sup>8</sup> and in Strafford county also, though in the latter the additional argument was advanced that, the paupers being unable to do all of the farm work, the prisoners' labor obviated hiring farm hands.<sup>9</sup> In Cheshire county the reasons assigned were "the insufficiency of our jail, allied to the interests of humanity, as well as financial considerations."<sup>10</sup> Merrimack county's reason was that there was work at the farm, idleness at the jail.<sup>11</sup> The reasons given in the other counties do not appear of record, but it is generally understood that in all counties the "financial considerations" had much, if not most, to do with the sending of prisoners to the farms. Every farm had its prisoners by the middle nineties, and most of them by the middle seventies. The movement of prisoners from town to county farms was practically completed by legislation in 1899, when a law was passed declaring that county farm buildings and county jails should

<sup>8</sup> *Rockingham Commissioners' Report, 1870-71, p. 4.*

<sup>9</sup> *Strafford Commissioners' Report, 1878-9, p. 25.*

<sup>10</sup> *Cheshire Commissioners' Report, 1875-6, p. 18.*

<sup>11</sup> *Merrimack Commissioners' Report, 1887-88, p. 4.*

be deemed houses of correction.<sup>12</sup> The consideration which led the legislature thus to define and adopt the practice which had been growing up for thirty years was the financial one.

The justification of this movement rests, in any event, upon one or both of two theories: (1) that men are better off at work upon the farms than in idleness at the jails; (2) that their work upon the farm is of financial advantage to the farm, in that it obviates the hiring of extra laborers and so decreases the net cost of supporting the paupers. These theories will be discussed briefly in their order.

There can be no denying the fact that the prisoners are better off at work on the farm than idle in jail. The work furnished at the county farms, being mostly out-doors is undoubtedly beneficial to this class of offenders. The men cultivate the farms under supervision. With very rare exceptions are the guards armed. Escapes are, on the whole, few. On farms having wood-lots, the men cut firewood in winter. They help care for the stock; paint and do other repairs on the buildings; work upon new construction and at land-improvement. In a few counties they go in limited numbers to help neighboring farmers, or work upon town road repairs, the county being paid for their labor. In one county the road gang was made more efficient by allowing the men a little each day in addition to what was paid the county. This same county contracted its prisoners to build a new house of correction at \$1.25 a day, \$1 to the county and 25 cents to the prisoner. All the contractor furnished was material and superintendence.

This is all excellent, as far as it goes. During the early days of commitments to the county farms, the few prisoners found ample employment. But it was soon found that in this severe northern climate there was altogether too little winter work, and the winter was the time when the prison population was the largest. The prisoners did not find wood to cut on most of the farms, and consequently their winter activities were confined to chores, getting in the ice and now and then breaking out the neighboring roads. This condition was remarked upon in the Cheshire county reports of 1876-77<sup>13</sup> and 1881-82.<sup>14</sup> The Strafford county commissioners, in their report for 1883-84<sup>15</sup>, spoke of the need of more work. The Hills-

<sup>12</sup> *Laws, 1899*, ch. 7, sec. 1.

<sup>13</sup> P. 23.

<sup>14</sup> P. 26.

<sup>15</sup> P. 10.

borough county commissioners in 1898 alluded to the large increase in commitments to their institution and said: "If this class of inmates continues to increase some indoor work should be provided to keep them from idleness and bring some income to the county especially in the winter months."<sup>16</sup> A somewhat similar sentiment was expressed two years later by the Grafton county commissioners.<sup>17</sup>

Unfortunately, however, the situation as to number of commitments grew worse instead of better. Hillsborough commitments increased from 229 in 1898 to 673 in 1905; Grafton from 49 in 1900 to 166 in 1905. The increase in other counties was about equally grave. Besides the slight normal growth of misdemeanor in this period, the counties had to reckon with the results of the adoption of local option license in place of prohibition in 1903.<sup>18</sup> So enormous was the increase of drunkenness, and 90 to 95 per cent of the minor offenders are committed for drunks, that new means had to be formed to enforce the law against this offense. Before this the enforcement of the law had been solely in the hands of the local police, and the town treasury had been responsible in most cases for the support of drunks at the houses of correction. To counteract the temptation to lax law enforcement, the legislature had, in view of the increase in drunkenness, to take a hand. Consequently, in 1905, a law<sup>19</sup> was passed directing the state or county officers to prosecute at the expense of the town or city where local officers did not. Further the expenses of detention of drunks in county jails or at county houses of correction were transferred from the town or city to the county. Consequently more drunks were gathered in by the police, and the municipal courts were far more liberal in sentencing to imprisonment, the expense of the same being upon the county rather than the town. Consequently, also, the last remaining local houses of correction soon went out of business. It as surely followed that the labor market at the county farms was more than ever glutted.

Several counties have, from time to time, made experiments in indoor industries, but every experiment has been a failure. The truth of the matter seems to be that the admirable out-door activities furnished at the county farm are too restricted to keep all the prisoners reasonably employed, and that the prisoners are too few to make

<sup>16</sup> *Hillsborough Commissioners' Report, 1898*, p. 256.

<sup>17</sup> *Grafton Commissioners' Report, 1900*, p. 138.

<sup>18</sup> *Laws, 1903*, ch. 95.

<sup>19</sup> *Laws, 1905*, ch. 105.

indoor industries reasonably profitable. When a rainy fall day, or the average winter day, restricts the men to only ten per cent of their labor efficiency we have, practically speaking, enforced idleness. It cannot be said that the humanitarian hopes of those who favored the application of prison labor to the county farms have been measurably realized.

It is therefore at once apparent, if the men are not worked to their full-time efficiency, that the second hope as to a substantial saving in the support of paupers is equally far from realization. Any short-term drunk, employed at full time, is not worth more than a quarter to a half as much as an average hired farm-hand. This is notorious among those who have had to do with the problem. If such a prisoner has not enough work to keep him busy, he is worth even less. In 1884, before the conditions were so acute as now, the Strafford commissioners were anxious for more work for the prisoners as a source of revenue to the county. More recently, in 1907, the Cheshire commissioners, after briefly reviewing the situation, came to the conclusion that the maintenance of the prisoners was quite an expense in the aggregate.<sup>20</sup> Exact statistics are impossible, but the writer, after a rather careful inquiry, has reached the same conclusion as the Cheshire commissioners. Most of the other commissioners are of the opposite view, but the Cheshire commissioners and the writer have unbiased support from the State Board of Charities and Correction.<sup>21</sup>

There are two possible methods of dealing with the situation. First, keep on sending drunks to the county farms, but lengthen their terms and make them more efficient, exercising some superior ingenuity in trying to discover indoor industries to keep them reasonably busy. Second, recognizing the practical failure of the experiment so far from both economical and humanitarian standpoints, give up further experimentation at the county farms, remove all prisoners to a central state farm, and there work out the problem with a larger group better adapted to industrial organization, under leadership more expert than can be obtained with the present groups, and with the economies and efficiencies supposed to follow combination. The latter is the solution urged by the State Board of Charities and Correction in order that the prisoners may be thoroughly separated from

<sup>20</sup> *Cheshire Commissioners' Report*, 1907, p. 83.

<sup>21</sup> *Report*, 1903-4, p. 66.

the paupers. At the present time it is under consideration by a special commission authorized by act of the last legislature. The problem presented is by no means a simple one and historical considerations are such as to make the change hard rather than easy. It is interesting to note that if New Hampshire should abandon the experiment which gives this article its title and have a state workhouse for minor offenders separated from paupers, it would have such an institution as was contemplated for the province before the Revolution.<sup>22</sup> Were our great-great-grandfathers wiser than we?

<sup>22</sup> *Provincial Laws, 1771*, p. 73.



## THE COURTS AND PRISON LABOR

BY GEORGE COSSON,  
Attorney-General of Iowa.

Those who decry against the tendency of humanitarian methods of punishment should remember that the more barbaric and severe the punishment, the less will be the number of convictions and consequently the less the fear of punishment.

Not only juries but courts consider the kind and character of punishment in dealing with criminals. There is scarcely a criminal trial but what jurors discuss the punishment to be meted out to the defendant, and because of this, some judges decline to mention in the instruction the nature of the punishment, especially if the punishment is severe. But jurors can hardly be criticised for this when courts themselves are greatly influenced by the punishment to be inflicted upon the defendant. Indeed, the very inception of technicalities and refinements of court procedure was invented by courts because of the undue harshness and severity of the criminal law two or three centuries ago. As late as 1909 it was held in England in the case of *R. V. Kirkpatrick*, 73 J. P. 29, that the judge might properly take into consideration the treatment a prisoner would receive while under sentence, and to this effect see also *R. V. Syres*, 73 J. P. 13; but we do not need to go beyond the boundary of our own state.

Our own supreme court in the recent case of *State vs. Baker*, who was charged with murder and convicted of murder in the second degree, held there was ample evidence on the part of the state to rebut the theory of the defendant of self-defense, but on a re-hearing reduced the sentence of the defendant from twenty-two years to fifteen, notwithstanding the parole board is created for the special purpose of determining when it is wise to release criminals under parole or pardon. The recent action of Governor Donaghey, of Arkansas, in releasing 360 prisoners who were working under the contract labor system is familiar to all.

In view of the fact then that executives, courts and jurors are influenced by the punishment prescribed for criminals, if the punish-

ment is not wise, humane and just, it results in the escape of a large number of prisoners from any punishment at all.

It follows that while improvement may be made by reform in court procedure, no permanent or complete relief can come except by a fundamental change in our entire penal system. The defendant must be compelled to right the wrong that he has committed in so far as possible, he must become a producer and be required to support himself, and, if possible, those dependent upon him, and in so far as possible and practicable to return to society that which he has wrongfully acquired.<sup>1</sup> A complete change in the penal system of Iowa was recommended as the result of the investigations of the special committee appointed by the governor which reported in 1912.<sup>2</sup>

The death blow has been struck at the contract system of penal labor and nothing remains to be done except properly to arrange for the obsequies. In Iowa, the Board of Control has gone on record against this system, and planks declaring against it were contained in the platforms of Republican, Democratic and Progressive parties. Moreover, a similar plank was found in the National Progressive Platform; and the recent American Prison Congress at Baltimore registered a strong condemnation of it.

The objections to contract convict labor are that it is a form of slavery, and also unjustifiable because responsibility and authority are divorced. It is the exploitation of the helpless convict, not even for the profit of the state, but for the profit of a private corporation. It is to a greater or less degree the wrongful surrender and abandonment of control and jurisdiction over the person of the convict. It furnishes opportunity for convicts to communicate with the outside world in violation of the rules of the institution and to receive opium, morphine, cocaine and other forms of dope if the employees of the contractors are subject to improper influences, or even unduly sympathetic. It furnishes opportunity for corruption between the contractors and prison officials and officers of the law. It subjects prison officials to criticism regardless of whether or not there is real foundation for the charges. It tends to destroy discipline. It impairs reformation and destroys hope on

<sup>1</sup> *Ninth Biennial Report of George Cosson, Attorney-General of Iowa*, p. 18.

<sup>2</sup> *Report of the Committee to Investigate the General Management of the Iowa Penitentiary at Fort Madison*, pp. 56-8.

the part of the prisoner. It is injurious to the manufacturer employing free labor. It causes unfair competition to free labor, because it tends to destroy the living wage and lessens the opportunity for labor—on the whole, it is economically unsound.

The problem confronting us in this state is to devise a substitute for contract labor. It goes without saying that any system which confines able-bodied men in idleness and solitary confinement is infamous and barbaric, and is clearly economically unsound. Further elaboration is therefore not needed to demonstrate that when the contract convict labor system is abandoned, as it will be as soon as the present contracts expire, some other and better form of labor must be substituted.

Prison labor, in so far as possible, should be profitable; that is to say, every prisoner should not only be permitted, but compelled, to support himself, and in a large measure should support those dependent upon him.

The labor should not be injurious to the prisoner's health, but, on the contrary, should be of such a character as to render him stronger, both mentally and physically, at the time of his discharge than he was at the time of his entrance. Furthermore, the labor should be such that after his release he can profitably follow a similar calling, and in no way should it be prejudicial to free labor and the free manufacturer.

We cannot approach the question fairly unless we consider the welfare of society, the welfare of the prisoner himself, the welfare of those dependent upon him, the welfare of free labor and the welfare of the free manufacturer and the free producer.

All these elements must be kept in mind, and when all are considered and each given its due proportion, I think it will be found, beyond question, that the penal farm should be a large factor in the employment of prison labor in the State of Iowa. The farm should be established upon the colony system so as to afford opportunity for complete classification, segregation and individual treatment of prisoners. There should be confined to this farm first offenders who are not shown to be depraved and vicious by nature, except those who should receive special manual training, and these should be sent to Anamosa. The Board of Parole should have authority to transfer to the farm such recidivists and long-term offenders as had served a substantial part of their sentences at Fort Madison

and had also given such evidence of good conduct as to make it comparatively certain that if transferred to the farm no injury would result therefrom.

The farm should contain at least two thousand acres. It should be located so as to be reasonably accessible to the capital city. This would afford opportunity for more frequent inspection by the Governor, the Board of Control, the Board of Parole, the Attorney-General and members of the General Assembly. The farm should be isolated and hence should not be in the immediate proximity of any city or town. It should, however, be located near a steam or interurban railway with arrangements for station stop and side tracks.

There should be intensive farming following the scientific principles of agriculture. The farm should therefore be located reasonably accessible to our State Agricultural College at Ames, and the professors of our Agricultural College, post-graduates and undergraduate students of sufficient training should give instruction at the penal farm in scientific agriculture, including instruction in dairying, poultry and stock raising; in short, there should be such cooperation and assistance given by the Agricultural College as to furnish the prisoners with a knowledge of every branch necessary to practical farming under the most improved and scientific methods. This farm should not be sufficiently close to the Agricultural College and it goes without saying that the function of the Agricultural College should be to furnish instruction and nothing more. Under this system, instead of using military guards on dress parade, graduates of the Agricultural College could be used as instructors and co-laborers.

Cooperation of the Agricultural College with a large penal farm would be of very great value to both institutions. It would furnish for the college a means of experimentation and demonstration; it would furnish additional opportunity for students to put their theoretical knowledge into actual practice, and it would furnish the most healthful employment possible for the prisoners. It would be the highest kind of productive labor; it would give the prisoners that kind of practical knowledge which would be of the most value to them upon their release. The labor would not be injurious to free labor, nor would the prisoners be performing women's work, nor the work of the blind. Every branch of farming should, and

could, be carried on; and dairying and poultry and stock raising should all receive special attention.

Our Board of Parole says that a position can always be secured for a prisoner upon the farm if he is capable. The demand for farm laborers is always in excess of the supply, but the reverse of this is true with men engaged in other occupations. Many a man is kept at our penitentiaries and reformatories for a considerable period of time after he is subject to parole, until a position for him may be secured.

The value to the state and to society in transforming a large number of debilitated and shiftless men from cities and towns who previously spent their time in idleness into useful, healthy citizens to go into every part of the state upon their release and engage in the highest form of productive labor, viz., scientific agriculture, scientific dairying and poultry and stock raising, is beyond estimate; but even to return to the farm those who have previously been engaged in farming, instead of transferring them to cities and towns upon their release, at best only partly equipped to earn a livelihood, will be of untold value, provided that during their confinement on the penal farm they receive that knowledge and training in farming, and that degree of efficiency which they undoubtedly should receive.

The products of the farm need be injurious in no way to free labor, and it is beyond question that scientific agriculture and intensive farming may be made very profitable. Consequently farm work would permit the prisoner to be not only self-supporting, but to contribute largely to those dependent upon him.

Because of the peculiar location of Fort Madison, the supplies for the institution are largely purchased in the State of Illinois, the Iowa producer having no opportunity to compete. Not a ton of Iowa coal is used at Fort Madison. This, of course, is due entirely to the freight rate necessitated by the location. What is true of coal is true of many other supplies. If the Milwaukee Railway Company can abandon a part of its line in the State of Iowa in order to straighten its track and reduce its grade, surely the state itself can abandon an institution the location of which practically excludes the Iowa producer and jobber from furnishing supplies, and makes the cost of operation excessive. For these reasons, Fort Madison has been condemned by legislative committees and by the Board of Control. It is a subject of common remark that no worse location



could possibly have been found, either in this state or any other, for a penal institution. To enlarge the grounds at Fort Madison would only commit the State of Iowa to a third-rate policy in dealing with its defectives and criminals, while by the expenditure of a reasonable amount of money we can transform our penal system so as to place it in the forefront of the states of the Union.

Furthermore, practical prison officials, from the warden of our own penitentiary to the wardens and superintendents of the large penal institutions of this country and the directors and governors of the large penal institutions of Europe, and the leading authorities on penology in this and other countries, recognize three things as fundamental to any great prison reform, viz., classification, differentiation and segregation, and, to use a French phrase, "the individualization of punishment;" that is, the treatment of men as individual beings rather than the treatment of crime in the abstract or the convict as a type or class.

Sir Evelyn Ruggles Brise, who, at the last International Prison Congress at Washington, D. C., was elected to succeed Prof. Charles R. Henderson as president of the Congress, in his address to the Congress, said: "Of all the prison systems of the world, that will be the best where the arrangements admit of the greatest individual attention being given to each individual case."

This classification, this segregation and this individualization of treatment and punishment are not possible with the large number of offenders at Fort Madison, guilty of all forms and degrees of crime—hence a new state farm is absolutely indispensable.

The State of Iowa has not purchased an acre of ground for any of its institutions that it could not now sell at a profit of from one hundred to four hundred per cent, and it has not purchased an acre of ground for gardening or agricultural purposes which has not been operated at a profit.

If it is urged that the state cannot afford to appropriate sufficient money to purchase a new state farm, reasonably accessible to Des Moines and Ames, I can do no better than call attention to the fact that Illinois has recently appropriated \$600,000 for the purchase of a new farm of two thousand acres, and is now abandoning the Joliet prison, the present valuation of which is \$3,000,000, although its original cost was \$17,000,000. In connection with the Joliet prison is a farm of over two hundred acres.

All the prisoners could not be employed during the entire year in farming, but by the application of scientific methods, fruit, vegetables, dairy products, poultry, etc., sufficient to supply the state institutions could be produced and useful work furnished a large number of prisoners. The limited cooperation between the Board of Control and the Agricultural College is sufficient to show its importance. Prof. Beach and his assistants at Ames have rendered valuable assistance to Dr. Witte in the raising of apples and other fruits at the State Hospital for Insane at Clarinda, where an apple orchard of thirty acres has been made to produce an annual revenue for the last two years of \$125 per acre, notwithstanding the fact that over half of the trees were not bearing—all the work being done by the inmates of the institution under the direction of Prof. Beach.

A number of the men at Fort Madison and Anamosa can be worked upon the highways, although it is not advisable to work anyone on a highway, or, indeed, on a farm, unless he has shown such disposition and habits that he can be trusted within reasonable limits. It is not proposed to use chain gangs or armed guards. The work on the highways should be optional to men who have served sufficient time to be subject to parole, and they should be paid a reasonable wage; under such conditions there is no reason at all why prisoners may not be so employed with profit to themselves, to the state and to society.

Experience has taught us that if prisoners are properly compensated for their labors, their efficiency can be increased from ten to one hundred per cent, and I am thoroughly convinced that the business end of our penal institutions should be operated in much the same way that a large private enterprise is operated. The books of the institution should be so kept that the aggregate working force of the institution could be known. The men should be paid according to the efforts put forth; they should be enabled to pay for the cost of their conviction, and should be enabled to support those dependent upon them or be able to fund their savings against the day of their discharge. A proper allowance should also be made to those men who, by reason of infirmity, are unable to do a full day's work.

The jail system of Iowa, like the jail system of all the states of the Union, is the very worst system that it is possible to conceive—idleness and either solitary confinement or base companionship.

It is almost inconceivable that an enlightened, free people should continue a system as vicious and barbaric as the present jail system.

A few days ago one of the judges of the state called me in consultation as to what to do with certain men who were repeatedly guilty of gambling. They were spending their income in gambling; they were not supporting their families, and, with winter approaching, a jail sentence with comfortable lodging and good board seemed to be a form of reward to these particular characters, rather than a punishment.

State supervision of our county jails might, of course, eliminate a few evils, such as unsanitary conditions, the confinement of boys in the same buildings as hardened criminals with no barrier except a lattice work partition, and even the confinement of women under such conditions, but this would be merely a surface reform. This would not get at the root of the evil; it would not tend to compel the individual to do that which he has neglected and failed to do—support himself and those dependent upon him. We need a system which would compel a man to do that which he has failed to do; but no form of state supervision and state visitation would accomplish this purpose.

In an agricultural state, with but few cities, it is impossible for the various counties to provide any form of real productive labor for misdemeanants sentenced to a term in the county jail; and if it were possible to provide some means of work in the several counties, there would be as many kinds of discipline as there are sheriffs.

No man can be a detective, a policeman and a warden at one and the same time; and yet this is what we expect our county sheriffs to be.

I cannot insist too strongly upon the fundamental proposition that the state itself should administer the punishment for infraction of state laws. This can be done only by providing several state institutions which might be known as district farms.

All that has been said with reference to the necessity for a state farm for those guilty of felony is equally true as to the necessity of district farms. These district farms should be located in various parts of the state, so as to be accessible to the different counties and cities.

The necessity for segregation, classification and quarantine is as great with misdemeanants as with felons. Since a large percent-

age of all the inmates of the penitentiaries are under twenty-six years of age, and since every hardened criminal passed through the stage of a petty criminal, the necessity becomes apparent for more scientific methods of dealing with minor offenders so as to effect reformation rather than to furnish them with a university training in vice.

Nothing of greater importance will come before the Thirty-fifth General Assembly of the State of Iowa than the question of providing proper labor for all the criminal and delinquent classes of the state. To deal successfully with any criminal, whether guilty of a misdemeanor or of a felony, whether a first offender or a recidivist, the indeterminate sentence is indispensable, and the possibilities of the suspended sentence and the parole have not yet been fully developed.

Better supervision upon the part of the state for all offenders, whether misdemeanants or felons, under parole or under suspended sentence, should be provided. Under our present system, no labor whatsoever is provided for persons given a jail sentence, no method is provided to compel them to pay the cost of their conviction, and but a very small amount is received for the labor of the penitentiary prisoners working under the contract system. These factors make the cost of crime in Iowa far greater than the public imagines, while, in addition, thousands of innocent persons are made to suffer by reason of our form of punishment. They are deprived of the support of the bread winner, and he is not so severely punished, having, at least, a warm place to stay and good board and clothing at the expense of the state. This is due primarily to our failure to properly employ, at productive labor, persons sentenced for crime.

Jurors are supposed to follow the instructions of the court and consider only the guilt or innocence of the defendant, leaving it to the court to prescribe the punishment as by law provided; but every prosecuting attorney knows that the majority of verdicts are determined by the sympathies of the jurors. Therefore, they know that unless they can adduce sufficient evidence to remove the natural sympathy which some jurors always have, there is but little probability of conviction. The criminal lawyer understands this when he has the wife, the little children or the gray-haired mother in the court-room and as close to the jurors as possible; and these methods are followed to-day because of the fact that the old theory of vindic-

tive punishment is still prevalent in the minds of the people, and because jurors feel that our penal institutions are, at least to some extent, torture chambers. The very large number of acquittals in this country due to verdicts based on sympathy and the technicalities of the law furnished the basis for President Taft to say: "The administration of criminal law in this country is a disgrace to our civilization."

The question of prison labor is the very foundation of all reformation. All other questions are incidental. The ultimate thing to be obtained is, so far as possible, to make the offender right the wrong which he has committed, but in doing this to see that another and greater wrong does not follow as a necessary consequence. This can be done only by requiring and compelling every offender to work at some productive, healthful labor, not unduly prejudicial to the free laborer, free producer and manufacturer, and by paying him a wage which will enable him to support himself and contribute toward the support of those dependent upon him.

If we make up our minds that the state can do what can be done under private management, if we go about it in a thorough business-like way, if we eliminate all politics and everything that savors of politics or favoritism, and if we make proper allowance for the care and education of the ignorant and the defectives, we can place Iowa in the forefront of all states in the Union in the care and reformation of her unfortunate and criminal classes. We can aid every man to live a useful life, notwithstanding his past record. We can discontinue the present evil policy of punishing his family and those dependent upon him more than we punish the convict, and we can reduce to a minimum the economic waste incident to confining men in idleness or exploiting them under the vicious contract convict labor system. We can do this if we have the courage, the vision and the patriotism to do the things which are plainly necessary; but we cannot do it by a mere pretence of reform, by false economy, by opportunism and temporizing.



## THE TRADE-UNION ATTITUDE TOWARDS PRISON LABOR

BY JOHN P. FREY,

Editor, "International Molders' Journal," Cincinnati, O.

Trade-unions have been forced to study the problem of convict labor for the most practical of reasons, as one phase of prison labor affected the wage-earner's standard of living.

Prison labor under the contract convict labor system has unquestionably been the means of lowering the wage rate for thousands of wage-earners and in some instances its competition has practically driven an industry from the field. It is because of this competition and for humanitarian reasons that trade-unions have been opposed to its existence. They are strongly opposed to contract convict labor because they believe that it has been brought into existence and extended wherever possible, largely for the personal profit of private parties and because it tends to relieve prison wardens and boards of penitentiary managers from personal responsibilities and administrative duties which would otherwise rest upon them, and in addition, because of their conviction that under this system the prisoners' welfare and reformation are made secondary to the making of profits for the contractors.

One result of prison labor is the displacement of free labor by convict labor either by throwing free workmen out of employment or by doing work which free workmen would otherwise have performed. But if the convict is to be occupied at useful labor during his confinement, this form of competition cannot be altogether avoided, although it might and should be applied so as to work the minimum amount of competition with free labor in view of the large number of unemployed which we find in so many portions of the country.

It is not this phase of the competition of convict labor, however, which has placed the trade-unions in determined opposition against the system of contract convict labor which exists in many of our penal institutions. The trade-unions believe that the most sound economic and humanitarian reasons, as well as reasons of

public policy, require that the prison inmates should labor and that their labor should have a useful object and a market value.

Unfortunately the true attitude of organized labor on this subject is not as well known as it should be. Only recently a prominent publicist whose sympathy with the wage-earners is well known, in discussing the attitude of the trade-unions toward prison labor, made the statement that, "the opposition of the unions to prison labor is another count in the indictment. This rests upon a narrow view of advantage which helps to discredit the trade-unions. Here, again, a small gain to a class is suffered to outweigh a heavy loss to society. The injury which prison labor could inflict upon organized labor is inconsiderable, the damage which would be done to the prisoners by keeping them in idleness is enormous. The unions greatly injure their own cause when they adopt the policy which sacrifices the general welfare to their own interests in a manner so flagrant."

Organized labor has a definite policy on the question of convict labor which it has consistently endeavored to apply; and with which it seeks to secure support from the public. The trade-unions have never advocated that convicts should be kept in idleness; instead they have insisted that convicts should be employed, believing that the convict's reformation would be impossible without useful and healthful labor.

Organized labor, however, has differed radically with some business and political interests as to the manner in which convicts should be employed and the conditions which should surround them while at work. They have always vigorously opposed the contract convict labor system, insisting that the convict's labor should not be performed for the private profit of a contractor who is engaged primarily in making money through the forced labor of the unfortunates over whom he has control and whose interest in their reformation is generally a negligible factor.

It is because of their opposition to the contract convict labor system that trade-unions have been accused of being opposed to convict labor for selfish and narrow reasons, by their opponents and those who are not well informed as to organized labor's attitude on the subject.

It is not the work of the convicts as producers which meets with trade-union opposition, nor is it that by working they may keep

some free men idle. It is instead the methods by which prison labor, when performed for the benefit of private contractors, places the product of the convicts' labor on the market and thereby forces reductions in wages upon large numbers of free workmen thereby lowering their standard of living.

To illustrate the trade-union attitude upon this subject let us presume that the state should decide to build an addition to one of its prisons or erect a new public building by convict labor. This would replace the labor of a proportionate number of building trades workmen who otherwise would have been employed.

If instead of erecting a public building with convict labor, the state should give building contractors the privilege of contracting for convict labor and these convicts were placed to work erecting buildings for private individuals in competition with contractors employing free labor, then an entirely different form of competition would be created, for not only would the number of convicts employed displace a proportionate number of free workmen, but the prison labor contractors, because of their much lower labor costs, would force the private building contractors to reduce wages or drive them from the field. It is against this form of convict labor competition that the trade-unions object.

In the iron molder's trade, stove hollow ware has been practically driven out of the foundries in the United States through the competition of similar ware made by contract convict labor, for the molders could not exist on the wages for which they would have to work to compete with the convict, whose labor is sold to the contractor for as low as sixty-five cents per day.

There are many other vital reasons why the trade-unions are opposed to the selling of convict labor to private contractors. It is an injury to every employer who is forced to meet with this system's competition. If the convict is to be worked for profit, then his work should be done for the benefit of those dependent upon him, and for the state, with a principal view to his reformation and not for the enriching of private contractors. It is an inhuman system which turns our prisons and penitentiaries into factories operated for private gain instead of places where the prime object should be the convict's reformation, and his labor of a nature which would tend to assist in this most essential direction.

For years the trade-unions have endeavored through legislative

efforts, to have the convicts employed out of doors as much as possible, where the sunshine and pure air would build up the physical man and give that rugged health which would enable the unfortunates upon their release to have clear heads and strong bodies, instead of being the pallid wrecks which so often leave the prison door, nerveless, dejected and unfit to undertake the task of reclaiming their places as useful members of society or to properly support themselves through their labor. The trade-unions insist that convicts shall be employed, but they are equally insistent that this labor shall be performed under conditions which will tend primarily toward their reformation.

It is recognized to-day by practically all students of the question that the majority of inmates in our penal institutions are largely the victims of circumstances for which society is partly responsible. If this is true, then society owes an obligation to the unfortunates which it cannot discharge unless it makes the period of detention an opportunity for reformation, a period during which the prisoners' physical and moral condition will be developed to a higher plane.

Practical considerations have led the trade-unions to believe that the contract convict labor system is as great a crime committed by society against the average prisoner as the act which may have made it necessary to place the unfortunate within the prison walls. The conviction is growing among trades-unions that the idea of profit even to the state should be eliminated from prison labor.

Society's main object in confining the law-breaker is to safeguard itself from those who are inherently vicious and from the much larger number who have fallen into evil ways and whose reformation is not only possible, but most probable, if the conditions surrounding confinement are of a proper nature.

The labor should be of a character which would teach the prisoner to use his head and his hands, and any labor which does not require the use of both, such as the operation of a semi-automatic machine or the continuous and monotonous repetition in the manufacture of small articles such as brushes, or the operation of a sewing machine on garments must have as fatal an influence against reformation as the monotonous work in some of our factories has on the development of mental and physical growth.

There is a popular but erroneous impression that the prisoners

in our penal institutions are given an opportunity of learning a trade during confinement and that the prison or reformatory can be made the stepping stone to a trade, but those who have benefited the most by this are those who have derived private profit from the convict's labor.

The so-called "trades" taught in our penal institutions do not educate the prisoner and fit him to work as a mechanic after his release. Of what practical value is the experience which the convict acquires while working upon the weaving of wicker work, the making of cheap shirts and overalls, or on brushes or brooms or the one or two operations in connection with the making of cheap shoes? Even though the convict should become exceptionally expert in any of these lines of labor, he would find himself, upon his release, qualified to work only in those branches of industry which pay the lowest of wages, and in no sense would he be qualified to hold his own as a competent mechanic. In fact, it would seem that much of the work in our penal institutions has been largely of a nature to handicap rather than prepare the convict to earn a livelihood upon his release.

There is much work requiring the use of both brain and the hands which is necessary in connection with the maintaining of our state and eleemosynary institutions which could and should be done by convicts. There are highways to build, there is farm produce to be provided, there are many articles required in connection with our public institutions, and the convicts can work on all of these with a minimum of competition with free labor and with no injury to the farmer.

For this work the trade-unions believe the convict should be paid by the state so that he may be made to realize that the state does not rob him of his labor—a common impression among the convicts to-day—but that his confinement has been made necessary for his own good and the safety of society and that during this confinement society is discharging its obligations to him, giving him an opportunity of reformation, and enabling him to earn money which will save him from actual want upon his release, and what is equally as important, enable him during confinement to provide for those who are dependent upon him and who without his assistance are forced in many instances to depend upon private charity.

A husband who is confined for a year or more is likely to find



the family ties severed upon his release. The wife has been forced single-handed to undertake the task of keeping the home for the children and this has frequently been an impossibility, the children becoming objects of charitable institutions, and the home, the strongest sheet anchor to hold the convict upon his release, has been destroyed because the bread winner, during his term of confinement, has been unable to contribute to the support of his wife and his offspring.

The trade-unions believe that the convict's labor should be paid for in wages so that there will be a sum to give him when he reenters freedom and something to help support the family who, under the present system, are forced to suffer and to depend in many instances upon others for assistance.

President Gompers, in his report to the Atlanta convention of the American Federation of Labor, in 1911, summed up the trade-union attitude upon this question in the following words: "Prisoners should be required to work not for the private profit of contractors, nor even for the financial profit of the state, but for their reformation and for the benefit of their dependents."

In commenting upon this declaration the committee on the president's report said in part: "We are unalterably opposed to the labor of convicts being let to contractors. We believe that the ultimate solution of the problems will come when the convicts are engaged in the widest possible diversity of industry by hand labor for the use of eleemosynary institutions. By this both body and mind will be strengthened."

These two statements seemed so thoroughly to express the trade-union attitude on the question that Mr. Gompers incorporated them without change in his report submitted to the Rochester convention of the American Federation of Labor in 1912.

Briefly reviewed, the trade-union attitude towards prison labor is that its first object should be the prisoner's reformation, that under no circumstances should any element of private profit enter into consideration, that the labor performed by the prisoner should be of a useful nature and that for this labor the convict should be paid for the benefit of those dependent upon him and for his own assistance upon regaining freedom, and finally that the principal object of the state should be to protect itself from the vicious and unfortunate, to give them an adequate opportunity for reformation but not to derive profit from their labor.

## THE STATE-USE SYSTEM

BY COLLIS LOVELY,

General Vice-President, Boot and Shoe Workers' Union, Boston.

There are but two reasons why prisons are necessary: first, to protect society by removing the criminal from our midst; second, to reform the prisoner. Therefore any system of employing convicts that in any way curtails the possibility of reform is criminal in itself, and should not be tolerated in any civilized country, and yet a casual observation reveals the fact that most of the prisons of the United States have been commercialized, and that profit in the labor of convicts is the first consideration, and reform of the least concern to those in charge.

There are four systems of employment generally in vogue in the prisons of the United States, namely, the lease, the contract, the piece-price plan and the state account, all of which are vicious from a competitive point of view as from their lack of reformatory features.

The contract system is particularly vicious because:

First, the object of the law is to reform the convict, while the object of the contractor is to make money from his labor without regard to his reform.

Second, it is destructive of prison discipline from the fact that the prisoners are for eight or ten hours a day under the control of the contractor or his agent, who are in no wise responsible for their reformation.

Third, it renders impossible a diversity of employment suited to the different capacities of the prisoners and the conditions necessary to their moral training.

Fourth, it is the intention of the law and to the best interest of society that the terms of the best conducted prisoners should be shortened. It is to the interest of the contractors to keep them longer in prison.

Fifth, it makes impossible any proper classification and separation of prisoners, and places in daily contact the comparatively innocent or accidental criminal with the most hardened and depraved.

Sixth, the profits of the labor of the convict belong to the state the laws of which he has transgressed. The contract system gives those profits to parties not representing the state or interested or responsible except for a monetary consideration. This is a constant menace to the discipline of the prison and the reformation of the convict.

Seventh, manufacturers engaged in similar industries and employing free labor cannot possibly compete with manufacturers having the advantage of a prison contract, the labor cost of which is usually less than one-third of its real value.

For example, the Western Shoe Manufacturing Company has a contract for the manufacture of boots and shoes at the Minnesota State Prison at Stillwater, Minn. The total cost of men's welt shoes named in the contract is fifteen cents per pair, with no charge for the labor of new convicts for the first ten days. In addition the contractor gets free rent, power and light. The labor cost to manufacturers employing free labor is about forty-six cents per pair, exclusive of all overhead charges.

Thus, it will be seen that the difference in the labor cost is so great that competition is quite impossible. The above is but one of many instances where contracts of similar nature are in vogue in the manufacture of shoes, and what is here related will apply with equal force in many other trades, such as shirts, pants, overalls, and brooms, hollow ware and many other articles.

The contract system is condemned by employer and employees alike; in fact, it has no defenders except those who profit by it. It often happens that prison contractors are men of high standing in the community in which they live. They give liberally to charity.

The president of the company having eleven prison contracts in as many institutions is also president of a charity association and is quite prominent in the National Conference of Charities and Correction, and yet he is part of the system which is responsible for much of the cruelties that exist in all prisons that are operated for profit to the exclusion of reform. How true the old saying, "Charity covers a multitude of sins."

The most cruel tortures practised in nearly all prisons where the contract system is in operation, such as the whipping post, the paddle, the water cure, hanging by the wrists and many other methods equally cruel are administered for no reason except that the

prisoner has failed to satisfy the contractor in the amount of work performed.

Not only is reform impossible under such treatment, but the prisoner is bound to become more criminally inclined. Life does not stand still, even in prison. The man who grows no better must steadily grow worse, and so our prisons are becoming confirmatories instead of reformatories, as originally intended.

Nearly half a million persons are sent to prison every year in the United States. Most of these people are not really criminals; most of them are first offenders. They have blundered, but they are human and surely they deserve a chance to make amends for the wrong they have done. Give them a chance and many of them will reform.

The only system of employing convicts that appears in any way commendable to the writer is that system which most effectively protects the moral and material interests of society, regardless of pecuniary profit, and improves the morals and material opportunities of the prisoners.

Such a system has been in operation for a number of years in the New York state prisons located in Sing Sing, Auburn and Clinton. In these prisons there are twenty-four different industries engaged in the manufacture of articles for use in state institutions and political divisions thereof.

The system has proved an unqualified success and merits extension to all penal institutions in the state and country. No institution supported wholly or partially by the state should be allowed to purchase a single article in the open market that can be supplied by the prisons. This would give employment to diversified prison industries and occupations, and fit the prisoners to procure and perform lucrative labor at the expiration of their prison terms. It would fit them to earn a living by an honest trade instead of gaining one by one or another of the various forms of crime which their industrial inability and consequent cheap labor value lead them to embrace. Hence the value of diversified prison industries and occupations conducted under the most improved methods and with up-to-date machinery.

The New York system has produced positive results that cannot be disregarded and merits the serious consideration of every student of prison reforms and society in general.

It has abolished all inhuman systems of cruelty practised under the guise of punishment, which are common in institutions in other states, and has removed prison administration from the field of money corruption and practically made graft an impossibility.

The New York system has abolished competition in the open market between free and convict labor. This is of widespread importance to free labor, free institutions and in fact to freedom itself. It is the entering wedge that will eventually overthrow and completely destroy the convict contract system with its attendant chain of evils. It reforms the prisoner and reinstates him in his social rights and workday opportunities. It straightens and broadens his vision and inspires him with the blessing of honest, industrious citizenship of the most incalculable benefit and essential to the higher, deeper and fuller development of civilization.



## PUNISHING THE INNOCENT

BY CAROL ARONOVICI, PH.D.,  
Director, Bureau of Municipal and Social Service, New York.

Some time ago while waiting in the Providence district court for the trial of a man in whom I had a personal interest, a number of cases were disposed of with startling rapidity. Automobile speeder followed brawler, and thief followed the man sued by his wife for non-support. It was an interesting array of cases representing every stratum of society and every degree of intelligence and honesty. Fines and costs were imposed frequently, some paying the penalty in dollars and cents, while others, failing to produce the necessary amount demanded by the court, were led away into the lower section of the building where they were to await the help of a friend, or a jail term. It seemed unjust that the thief or automobile speeder should be allowed to go, while the poor men or women guilty of the same offenses, but financially unable to meet the penalty imposed by the court, should be imprisoned.

This incident led to an extensive investigation into the methods of dealing with offenders in the state, and the adequacy of the present system. Upon examination of the books of the Sixth District Court in Providence, it was found that during a period of three months, out of a total of 293 cases of male offenders upon whom fines were imposed, 79, or 26.9 per cent, were unable to pay their fines and were sent to prison. In the case of the women, out of forty-six cases, only seven were unable to pay their fines and were sent to prison. It seemed clear from the figures that, while there was no distinction in law between the rich and the poor, the actual enforcement of certain of its provisions placed the offenders financially unable to satisfy the demands of justice in a class by themselves and at a decided disadvantage. Later inquiry showed that the rate at which a person fined was able to work off such a fine in prison was twenty-five cents per day for the first five weeks, and fifty cents per day thereafter. At the suggestion of the writer, a bill increasing the amount to a dollar per day for the first five weeks, and two dol-

lars thereafter, was introduced, and it was enacted into law after the amounts were changed to fifty cents and one dollar, respectively.

After these facts had been ascertained, two important questions arose: first, what means are provided for the prisoners working off fines to produce commodities valued at the amount necessary for their support, plus the amount necessary to cover the fine; and, second, during confinement, what becomes of the obligations which some of the prisoners have towards their families.

The problem of providing adequate employment we cannot deal with in this article. Sufficient to say that the total earnings of a prisoner working a full day and under strict supervision, were, at the time of the investigation, about thirty-five cents per day. Out of this amount, all the expenditures for food, guards, heating power, etc., had to be met. The Sterling Manufacturing Company, which in some way secured a five-year contract from the state, was paying for the labor of each prisoner at the above stated rate. The care of the families during the confinement of the chief wage-earner was the subject of further investigation which took considerable time and much tact to carry out.

With the permission of the man who was then warden of the prison, all the prisoners in the state prison and county jail were interviewed, individually and privately, with a view to determine the former occupation of the prisoners, their age, place of birth, present work, offense and the number of persons dependent upon them. For the purpose of this paper, we have separated in the records of the prison and county jail those who have been convicted for serious offenses and have been sentenced for more than two years, from minor offenders serving sentences of two years or less.

In all, there were 188 male inmates in the county jail and state prison who were serving minor sentences and were working off their fines and costs. Of this number, only eleven refused to give any information, and in seven cases the information was found unreliable upon further investigation. In three additional cases prisoners were unwilling to give their home addresses, although they stated that they had families dependent upon them. If we exclude the cases in which incomplete or inaccurate information was given, we still have 167 men, 43, or 23.9 per cent, of whom had at least one or more persons dependent upon them.

A further analysis of the records showed that in 36 cases the dependents were wives and children, and in 8 cases, an old and help-

less father or mother was dependent upon the earnings of the prisoner. The total number of persons dependent upon the 43 prisoners were distributed as follows: 36 wives, 8 mothers and fathers, and 65 children under fifteen years of age. The children of fifteen years or over were not counted.

As we secured the addresses of all the families dependent upon prisoners considered in the preparation of the above figures, it was possible to locate these families in their homes, and to look up their records in the charitable agencies in Providence and Pawtucket. These agencies were the charity organization societies of Providence and Pawtucket, and the overseer of the poor of Providence. Whether there were prisoners' families, other than those whose records were examined, who were dependent partially or entirely upon charity, I am not prepared to say. Both Providence and Pawtucket have many benevolent societies which keep no records and do little investigation before giving aid.

The results of our inquiry into the records of charitable agencies were as follows:

Families of prisoners aided by charity organization societies....	9
Families aided by overseer of the poor in Providence.....	11
Families aided by both agencies.....	6
<hr/>	
Total number of families aided.....	26
Total families of prisoners.....	43
Total families not aided.....	17

These figures are extremely significant, not because they represent a degree of destitution among families of prisoners that is far above the normal, but because of the conditions under which the prisoners were made to produce marketable goods in the form of shirts. These were being paid for by private contractors at a rate constituting financial loss to the state and making impossible any compensation to the prisoner beyond his maintenance.

When we consider that the total number of dependents whose cases were investigated and found to be as stated by the prisoners numbered 109 persons, and that the membership of the families aided by charitable agencies aggregated 83 persons, we find ourselves face to face with a problem of family maintenance that even the antiquated and individualistic methods of our petty courts should take cognizance of.

The making of shirts of a very cheap quality, the industry in which most of the prisoners in the Rhode Island State Prison and Providence County Jail are employed, is one of the lowest paid occupations known. Men are seldom, if ever, employed in such an industry, and the product is sold in the open market in competition with a similar product made by free women labor. To compel men to compete with free women labor is of itself an injustice, but to use skilled, or even unskilled, men whom we pretend to reform and prepare for a more useful life after sentence has been served, in an industry in which men cannot find profitable employment, and to deprive them of the opportunity to work at their own trades, when they have them, or to learn a trade while in prison, is wholly inconsistent with justice and defeats the very purpose of the prison. Sixty-five per cent of 167 prisoners working on shirts were skilled mechanics, capable of earning from \$2.50 to \$5.00 per day. When this injustice is further made socially offensive by depriving the families of prisoners of the support of the wage-earners by offering no opportunity for assisting them while in confinement, it is clear that some revolutionary change in the prison system is necessary. A few states have already taken steps to care for the families of prisoners, and others are considering such measures. Whatever is done, however, the fact must be borne in mind that it should be through the prisoner and his legitimate earning alone, and not through the benevolence of private organizations or state charitable funds. The family allegiance of the prisoner is the most important asset upon which he must count at the end of his term, and unless we keep before both the family and the prisoner, throughout the term of imprisonment, their mutual responsibilities, we shall be losing an important and most helpful reformatory force.

In order to establish clearly the extent of the recognition given by law to the right of the family to support on the part of the husband and father, we made a careful analysis of the status of sixteen cases of non-support which had been settled by the district courts by imposing a prison sentence. Upon these men, sixty-two children and sixteen mothers were dependent. None of the men was over forty-one years of age, and they were all serving sentences of from six to nine months. These men were not even given the privilege to work on the shirt contract, but were employed in irregular and unskilled work about the house of correction. There

is no means provided whereby any earnings could be secured for the family during confinement.

The result of this "system" of reforming non-supporting husbands was well expressed in a letter sent by one of the men to his wife, in which he said: "I get three square meals a day and a warm place to sleep. What do you get?" Few of the men serve their full sentences, because the wives withdraw their charges when they find that they are not benefited by the process of law, and nothing beyond an inefficient probationary system is provided to take the place of the jail sentence. Neither of these is effective.

Some slight changes are now taking place in the administration of the Rhode Island prison system, and a "Commission on the Revision of the Criminal Code" has threatened at various legislative sessions to make its report. Nothing, so far, has in any way touched, in a fundamental way, the problem of training the prisoners or the reasonable support of their families. There are other states in the same conditions as Rhode Island, but here and there an awakening has taken place which has injected a social element into the administration of justice, and the prisons are beginning to be recognized as places where reform and not industry should be the slogan, and where a man is to be fitted rather than unfitted for the daily necessity of earning a living.



## PRISON LABOR AND SOCIAL JUSTICE

BY F. EMORY LYON, Ps.D.,

Superintendent, Central Howard Association, Chicago.

One must seek far to surpass the appeal to justice. The appeal of love, while powerful, is often superficial and sentimental. But the appeal to justice is fundamental and far-reaching. It is safe to say that no great question of public policy or human welfare was ever finally determined except by the dictates of justice.

History records the perpetuation of many injustices to portions of humankind through custom, through prejudice and self-interest and through limited notions of universal justice. A striking example of this is found in the long continuance of slavery into a civilized and Christian era. We now boast that chattel slavery, at least, has been abolished. But our quickened consciences remind us that certain forms of wage-slavery may contain essential elements of the ancient evil.

Thus far our feeling concerning justice has scarcely extended beyond consideration for those who are meritorious, though weak and helpless save for the magnanimity of the strong. But in the minds of many the growing sense of brotherhood must ultimately encompass the discredited, the derelict and the delinquent members of society. That the state cannot afford to return enmity for enmity has been fairly decided. In this it has been characteristically human by being generous before being just. In principle we proclaim reformation, rather than punishment, as the object of imprisonment. In practice, however, it would seem that much of the old spirit of retaliation, not to mention the spirit of real injustice, still persists. This is particularly apparent in the economic relation of society to its members who are in prison. May it not be gravely questioned whether men can ever be taught not to commit larceny, if in the effort to reclaim them something is taken from them and no equivalent returned? In other words, will it ever appeal to men's sense of fairness to be deprived not only of liberty, but of the entire fruit of their labor? Even though they have violated the law (many times because they have been denied reasonable conditions of birth

and training), shall we double their disadvantage by withholding aught of preparation or perquisite that would convince them that there is reward for honest endeavor? From high ethical authority it has been said: "The state sets the prisoner a thief's example by stealing his wages and confiscating the prisoner's earnings."

It is the purpose of this article, therefore, to discuss, not the relative merits and defects of the various forms of prison labor as practised in the past. It is, rather, to raise the more fundamental question as to whether unpaid penal servitude is justifiable on ethical, civic or industrial grounds. In the progress of prison reform slight attention has been given to the essential justice of the assumption that the prisoner has forfeited his industrial status. Those who have ventured to voice an occasional protest have been branded as theoretical idealists. Yet, strange to say, is not the legal sanction for past practice wholly negative, rather than a positive provision? Men are sentenced to "hard labor" and the law specifies the deprivation of certain civil rights, but does any constitution or statute specifically state that prisoners shall be unpaid chattels of the state? This is a question for the lawyers. But the moral law may well ignore the precedents of practice, if the letter of the law is out of keeping with the issues of justice. If it may be determined that the law and custom are wrong, then so much the worse for the law, and the sooner should we lodge a protest against the custom.

In considering this subject I venture to say we have one of the most complex and complicated problems in the realm of penological science. At the present time there is a great variance of opinion as to whether prisoners should receive anything for their labor. There is still wider divergence in practice throughout all countries. There is apparently little difference of opinion as to the fundamental wrong involved in the suffering of innocent dependents while the offender against the law is being punished or corrected. Notwithstanding this fact, however, the simplest investigation speedily discovers serious legislative, administrative, industrial and social difficulties in the way of correcting the evil.

The payment of prisoners is not a new question. It has been argued pro and con by the criminologists for centuries. The most recent authoritative presentation of the matter was made in 1910 at the Washington meeting of the International Prison Congress. At that time papers were prepared by able men of various countries.

A brief summary of those papers, or rather of the arguments for and against, will put the principles involved squarely before us.

Among the various objections to the principle of remuneration for offenders, the following may be stated:

First, the state may by right exact not only deprivation of liberty, but the deprivation of earning capacity, as punishment for crime.

Second, free labor in good standing would object to being placed on an economic equality with the offender.

Third, in so far as knowledge of others' suffering is a deterrent, provision for prisoners' families would tend to lessen the burden of responsibility, should future depredations be contemplated.

Fourth, even though the principle of paying prisoners be conceded as desirable, still the cost of maintenance and penal administration is too great to permit of an overplus for this purpose.

None of these apparent obstacles, however, it would seem, is sufficient to silence the humanitarian voice of civilization which cries aloud for the solution of every problem of injustice. Prompted by this voice, therefore, we find in that discussion certain affirmative declarations of faith:

First, the innocent should not be allowed to suffer for the defection of the guilty. The burden of their need should, if possible, be borne by the offender. Otherwise society as the protector of its weaker members is given the responsibility, either through taxation or by voluntary benevolence.

Second, the family is the primary unit of society. Its integrity must be maintained at all costs. Any treatment of the prisoner which tends to disintegrate the family contributes toward social suicide. Every effort should be made by the state to hold intact all ties of domestic accord and social sympathy that have been strained by the offender's unworthy conduct.

Third, the safety of the state and social honor are at stake in the solution of this question. The indigence and pauperism created by the misdirection of labor from its legitimate purpose are a menace to government and it is discreditable for highly organized states to be indifferent to the welfare of any subject, a few of which have fallen beneath the machinery necessary to a survival of the whole.

Fourth, as a matter of abstract justice, it is not sufficient that modern legislation has absolved the kindred of the convict. In tak-

ing away and appropriating the means of support, it has, in effect, committed an overt act of retaliation against the innocent.

Still more recently the effort to solve this vexed problem has gone far beyond the stage of discussion. That there is a growing feeling that unrequited toil, even for prisoners, is without justification, is shown by the adoption of many positive statutes on the subject. Previously, in nearly all states of all countries, some small dole was given to many prisoners as a special reward. In many cases, considerable payments have been made by private employers of prisoners for overwork. In none of these instances, however, was the economic relation of the offender to the state recognized as a principle. It remained for America, and at its capital, to inaugurate a series of laws destined to accomplish much for the rehabilitation of the offender and his family.

Washington, D. C., provides for a payment of fifty cents per day for the families of certain men in its workhouse, and the earnings of men on probation are distributed through the court to the dependents of probationers. Detroit, Mich., at its state house of correction, has legislation providing for a graduated scale of payments for its inmates, according to their industry. These earnings are used both for dependents and for rehabilitation of the released prisoner. The State of Minnesota has a most comprehensive provision for the payment of prisoners with families, and these funds are carefully administered by the prison authorities. I believe the principle is not applied to single men, though the more adequate discharge fee of twenty-five dollars is given for a new start, at the time of release. Kentucky, also, has a law declaring that its prisoners shall have a certain percentage of the net earnings of the institution. The amount is, therefore, subject to fluctuation, but under this new law over \$30,000 has been distributed to prisoners of the state for their families, and for rehabilitation after release.

Other states have doubtless made beginnings in the same direction and many are seriously considering effective legislation. It is difficult to see how, in this industrial age, we can avoid moving rapidly in that direction. The time is ripe for a forward movement and a new awakening as regards the relation of the state to the offender. Reformation by discipline has marked the first great step in the transformation of the modern prison system. Education and economic efficiency are destined to characterize the great advancement



of the future. Already the industrial ideal prevails over the military. More and more it has been seen that reformation itself could not come by moral suasion merely, or even by control and discipline alone.

It is realized that in teaching the lesson of life, those who are delinquent must be taught to do things that are necessary in a normal society. Hence most reformatories and some prisons in America have undertaken the teaching of trades. They have introduced such manual and mechanical training as will tend to prepare the individual for an industrial society. The chief purpose of such training has been to teach the lesson of thrift and the unselfish maintenance of others. One of the chief motives of toil, however, has been lacking in the prison systems of the past, because of the relation of virtual vassalage which prisoners have borne to the state. Hence, the serious question as to whether all states should, as a wise and practical measure, compensate the inmates of their penal institutions for their labor.

As to the scope and possibilities of this movement, we are only beginning to realize them. While we have no accurate or adequate statistics of the criminal population, a recent estimate states that 150,000 offenders go in and out of our penal institutions each year. From the same source we are told that the current number of prisoners is 86,600. Of this number, 2,744 are reported as ill, and 10,000 are stated to be idle. The former presumably includes only those who are in prison hospitals, the majority beyond recovery. Among the latter would doubtless be found a considerable percentage of those who by reason of age or physical and mental disability are disqualified as economic factors. In addition 21,000 is given as the number of inmates engaged in cleaning and caring for the institutions. These subtractions leave but 49,826 able-bodied, active wage earners, potentially. Nevertheless this army of men, under private management, at the fair average of two dollars per day and three hundred working days, would earn \$9,965,500. This sum is about one-half the total cost for the support, supervision and care of the whole 86,600 prisoners in the United States. This is contrary to the popular impression that the total earnings of prisoners would more than cover the cost of administration. On the contrary, only a few prisons have in recent years returned from their industries any profit to the state. And the self-supporting ones have usually shown the least desirable results from the standpoint of reformation. Where the purpose of



the state has been more than penal and custodial, and included the treatment and training of the inmates, an additional appropriation has invariably been necessary.

Doubtless these large expenditures are greatly reduced when penal institutions are entirely separated from political considerations. Even when the state employs prisoners in its own industries, able management and business methods are sure to show dividends, not only in dollars, but in reconstructed citizenship. Aside from the cost of administration, however, the possible earnings of nearly \$10,000,000 should not only cover the fair cost of maintenance, but contribute substantially to the support of over 200,000 women and children involved. If these earnings were actually used to prevent the families of prisoners from becoming public dependents there can be little doubt of the benefit to follow. Considerations of economy as well as of justice would dictate such an enlightened policy.

The economic argument has been emphasized, because at that point most strenuous objection is made. The legislator and the taxpayer tell us that if the families of prisoners are provided for, they will next be called upon to meet the needs of all wards of the state and their kindred. But they should see that while the insane patient, for instance, is receiving treatment, and contributing nothing in return, the prisoner is costing little for actual maintenance and giving much in toil to the state. No reliable facts are available to show the number of prisoners' dependents thrown upon public or private charity. The United Charities of Chicago reports 224 families of this kind assisted in a single year, at a cost of \$5,000, while the Central Howard Association, in the same city, extended proportionate relief in that direction. A conservative estimate would indicate that twenty-five per cent of all prisoners were caring for dependents before incarceration, and fifty per cent were probably under moral obligation to do so. When we remember that not only are all state prisoners thus contributing nothing to society's material welfare, but that thousands upon thousands of men in county jails are kept in idleness, then we realize the enormous loss sustained. We know that there is wicked waste, instead of the conservation of a mighty human resource.

Beyond and above that loss, however, there comes back to us again the question of justice and the baneful influence of injustice upon the victim of a bad system. The latest and loftiest argument

against the passing methods of prison labor is that it is psychic in its influence. The prisoner cannot escape the feeling that he is being exploited by a private owner of his energies. The same reason may well be given for eliminating a system of wageless work for the state itself. It will, doubtless, be given as the future reveals the quickening and beneficent effect of granting just compensation to the convicted man.

## PRISON LABOR REFORM IN NEW JERSEY

By C. L. STONAKER,

General Secretary, New Jersey State Charities Aid and Prison Reform Association, Newark, N. J.

New Jersey has by legislation abolished contract labor. In order to meet the condition thus changed by legislative enactment, two commissions were appointed, a Prison Labor Commission and a Convict Labor Commission. The latter commission has for its province the duty of formulating "a comprehensive plan for the initiation and use of the labor of all convicts on public roads, in public parks, in forestry and in such other ways to the public benefit, not in competition with free labor." The Prison Labor Commission has been given authority to take over the labor of convicts upon the expiration of the present existing contracts. This commission is to be a permanent one, and is designed to have executive authority and control of the prisoners in their working hours. Its members have traveled about the country and they have worked out a plan of action which was recently submitted in its first report to the governor. In its study of the local conditions there have been found loopholes and weaknesses in the law under which the commission operates, so that before actual operations can be undertaken there must occur certain changes in the law and an adjustment of authority and responsibility. The duties of the Prison Labor Commission, of the boards of directors of penal institutions and of keepers and wardens must be sharply defined in order to avoid conflict and friction when operations under the new system are inaugurated.

As each state has its own peculiar conditions, New Jersey must work out its own plan. The state has one central prison at Trenton which has developed from early times of the state's history. A five-acre tract of land on the outskirts of a small city may have been reasonably satisfactory a century ago, but the City of Trenton has grown and now surrounds the prison property. The prison has grown also, and now consists of numerous cell houses, workshops and other buildings which leave but little vacant space. It

is practically impossible to provide a suitable exercise court for the prisoners during the very short daily intervals when they may have a glimpse of the open sky and an opportunity to fill their lungs with fresh air, or at least such fresh air as may be had within such congested quarters.

The prison system of New Jersey includes also a reformatory of limited acreage at Rahway for men, a reformatory site for women on a large farm near Clinton, for which permanent buildings must be provided, a county jail in each of the twenty-one counties and three county penitentiaries or workhouses for the larger communities, of which Trenton, Newark and Jersey City are the county seats. No contract labor has existed in these three workhouses and, obviously, no form of labor has been devised for the county jails, other than the conventional stone piles, the product of which is used on the county roads.

The Prison Labor Commission, under its present powers, will have control of the labor of the prisoners in jails, workhouses, reformatories and prisons. It is for this commission to work out a comprehensive plan that will include the labor of all. It is presumed that the Convict Labor Commission will not be particularly active and that, after it makes a report, its mission will be ended.

As an experimental test and as an object lesson, the Prison Labor Commission, by an agreement with the prison managers and the State Commissioner of Public Roads, took a company of twenty men from the prison daily to a badly worn state road running south from Trenton, and during the months of December and January demonstrated the practicability of employing convicts upon public roads. An interurban trolley passes alongside this highway, and road traffic is quite heavy. In their gray uniforms the casual passerby would hardly know that this was not a gang of free laborers working on the roads. The prisoners went about the task with considerable enthusiasm and zeal, knowing full well how much depended upon this experiment. It meant much for the prisoners within the narrow confines of the state prison, but directly it meant more for them because they had nearly completed their respective terms of sentence and this opportunity put them in physical fitness better to adjust themselves to free life upon final discharge. Particularly was the work agreeable to them because it meant better food and great liberty from restraint and the dreary routine of cell and shop

life within walls. It was a demonstration in most favorable environment of both the utility and the practicability of a road-working plan.

Recognizing the crowded conditions in the prison and the limited space available, the Prison Labor Commission readily came to the conclusion that the first step to be taken must be the purchase of a large tract of land. An option was secured on a tract of pine barrens in South Jersey and it is hoped that an appropriation for the purchase of this land will be immediately secured. The commission believes that at a moderate cost the prisoners can clear the land and bring it under profitable cultivation. Eventually it will mean the housing of a considerable proportion of the state convicts upon this farm tract, thereby materially reducing the population within the prison walls at Trenton.

The commission recognizes that there will be a proportion of the convicts who must be retained within the walls of the state prison at Trenton. The employment of their labor must be on state account or for state use. The form which this labor will take within prison walls has yet to be developed. It suggests that the prisoners who must be held within prison walls may be profitably employed in the manufacture of goods required by the prison and other state institutions, such as shoes, clothing, underclothing, socks, stockings, blankets, brooms, brushes, mats, rugs, mattresses and beds. It has even suggested the making of school furniture for the public schools of the state.

Besides this economic tendency in prison factory work for state use, there is a latent thought of diversified industry having an educational and trades instruction tendency. The reformatory at Rahway has already developed school and trade instruction to a considerable extent. Officers and guards are selected under civil service rules to this end. The minor officers and employees of the reformatory now include a number of college men.

Road building and the maintenance and repair of state highways, including a stone quarry and a crushing plant, park development and forestry all are yet to be worked out. How this may be done in the various sections of the state and how the use of county jail and workhouse prisoners may be employed remains for future consideration and development.

It will be seen from a survey of present conditions in New



Jersey and the immediate programme as outlined by the Prison Labor Commission that the present thought is directed solely upon the economic side. The prison in the past has been conducted on the theory that the earnings to the state under the contract labor system have to some extent reduced the cost of maintenance. No particular study or thought was directed towards the development of a knowledge whether the contract system with its attendant evils and abuses had anything to do with the increase of crime, the reformation or rehabilitation of the convicts or the cost to society at large of discharged convicts returning to prey upon the public. Whether prisons should be managed for the benefit of the prisoner or for the benefit of a system were latent thoughts. The economic side alone was considered. How to reduce the cost of keeping prisoners rather than how to reduce the cost to society of criminals has been the paramount thought. To those who have given more or less careful study to the subject of crime and criminals, it need not be suggested that the present movement in New Jersey is the beginning of the development of an entirely new point of view. The convict and not the system is now to be studied.

A study of the convict rather than a consideration of his labor and the profits to be obtained from his labor means much for the future, not alone for a better prison management, but for the welfare of society at large. A recent writer has said: "The increase of knowledge must inevitably do away with our barbaric penal codes, with cellular confinement and electrocution. An enlightened community will realize that the whole mediæval idea of punishing each other is not only a sin but a blunder, a rank economic extravagance, as useless as it is costly. We will learn to protect ourselves from the losses and moral contagions of crime as we do from infectious diseases. Our prisons we will discard for hospitals, our judges will become physicians, our keepers we will turn into trained nurses."

This is looking forward a long way into the future, but it is a hopeful outlook and by no means visionary. Public opinion is rapidly crystalizing. Our lawyers, our judges, our hard-headed business men, our theorists, our propagandists, are all coming to a general agreement that the old ways have outlived whatever little usefulness they may have had, and we are all agreed that something radically different must be undertaken. Criminal law reform has

many advocates; antiquated forms and procedures in our courts will be abandoned. It is easy now to secure an acceptance of the indeterminate sentence idea as against the fixed term idea as prescribed by a rigid statute.

Parole and paroles supervision are widening in scope and their effectiveness improves under experience. Suspension of sentence under probation surveillance naturally follows. Wherever it has been attempted, its results in the main have been found salutary. Faulty it may be, but the fault does not lie in the principle but in the application. It means a change of view-point on the part of the committing court and a change of view-point on the part of the power which appoints the judge to the end that the right sort of men are made our judges. As the juvenile courts have developed juvenile court judges, probation and the suspended sentence develop the right kind of judiciary wisely to apply the suspended sentence. It may be said for New Jersey that in every county in the state the local and minor courts do not hesitate to suspend sentence and fix the terms under which sentence may remain suspended. This often takes the form of weekly sums of reimbursement for monetary losses, as in petty thefts and petty embezzlements or misappropriation of funds. In non-support cases, it means weekly payments through the court's officer.

This probation idea, this suspended sentence plan, means the development of a friendly adviser to the court, a sort of social service akin to the comparatively new development of the hospital social service.

There is developing in New Jersey the full idea of the importance of the individual study of the individual convict. It has come about through the operations of the research work now so earnestly carried on in connection with the institutions for the feeble-minded, the epileptic and the insane. The sending of field workers out from these several institutions seeking data regarding family environment and hereditary traits of relatives and the antecedents of the inmates under study has already resulted in the discovery that the trails often lead into the local prisons and those of other states. In the study of a given family through several generations, it is found that members of either branch have at some time and somewhere been lodged in jails, in almshouses, in prisons, in insane hospitals and in the various custodial institutions for unsocial classes. Surely this

will result in a study of the individual convicts in prison. Defects in physical development may be found, which upon being corrected may result in the restoration of that individual to a normal life. Defects in intellectual development will likewise be studied and given proper treatment. The Prison Labor Commission in New Jersey has already taken thought upon this subject and it recommends the development of the prison school in connection with the proposed farm colony.

It is interesting to note this development of the central thought of working for the prisoner instead of working the prisoner. Dr. Frank Moore, in his annual report for the New Jersey State Reformatory says: "It is very much to the credit of the courts and the efficiency of the probation system that so much corrective work has been done without having to incarcerate the offenders. The work of the reformatory, however, is rendered each year increasingly difficult because now those who have failed as probationers or who have been previously confined in other institutions are almost the only ones that are sentenced to it. These failures of the probation system and juvenile institutions do not reflect discredit upon either of these influences that have sought to correct them. A larger percentage of these offenders are feeble-minded. Others have serious physical defects rendering them unfit for life's struggle. Defective eyesight, flat-foot, nasal obstruction, incipient tuberculosis and neurotic conditions seriously handicap them. Altogether they are a weak class who succeed so long as they are supported by someone else, but who easily sink through weight of their own weakness when left alone. The remedy of constitutional defects is now very wisely being recognized as all essential. At least fifty per cent of our delinquents have some physical or mental weakness. The work of curing the sick is only a part of the service the physician must render."

Dr. Moore ventures the assertion that twenty-five per cent of the young men now paroled make a greater average of success than is made by the people in the class from which they come. This he attributes to the training and preparation they get at the institution.

New Jersey has a great opportunity and it is fortunate in having a large number of thoughtful men directly interested in the subject of a modern comprehensive system for the treatment of the

criminal class. It is working for a revision of the criminal law and the procedures of its criminal courts. It is developing its juvenile courts and extending the probation features. Suspended sentences are freely used. A social worker or friendly adviser to every court is possible and the adoption of this plan is highly probable. Making the county jails serve solely as prisons for detention and providing workhouses for all convicts needing custodial restraint must follow. Farms and workshops for training the convict as well as for earnings to the state, a wage scale for prisoners that their families may benefit thereby, schools for mental culture and physical development under the direction of medical officers, will be included in the programme. Finally there must come a rational permanent custodial care and a rational scheme of productive occupation for the residuum of the unsocial class.

## PRISON LABOR IN THE DISTRICT OF COLUMBIA

BY WILLIAM H. BALDWIN,  
Washington, D. C.

Though the District of Columbia, like Bethlehem, is little among the states in point of size, it is not the least among the princes of the nation so far as its position in regard to prison labor is concerned; for by its experience it has established and confirmed a principle important not only for the salvation of families neglected by the husband and father, but also, if properly extended, of those deprived of the support to which they are entitled by the imprisonment of the father or bread-winner for any cause.

The provision resembling this in its results which had worked well for several years, in spite of some hindrances, in Toledo, Ohio, had been annulled because of unconstitutionality as special legislation some time before. It was proposed, in introducing the non-support law in the District in 1905, to have the act include a provision by which the family should receive fifty cents per day for each day's hard labor performed by men committed for non-support, hard labor being an invariable accompaniment of all sentences. Various difficulties in the way of securing and carrying out this provision were brought forward, but these all disappeared as the effort for the law progressed, and it was finally enacted on March 23, 1906.

The per diem payment had been arrived at from the fact that labor such as was actually being done by such prisoners in taking care of our beautiful Rock Creek Park was worth \$1.50 per day, out of which approximately \$1.00 should be retained to pay for the cost of keeping and guarding them, and for time lost in their being taken to and from work. The experimental appropriation of \$200 for such compensation for each of the first two years, while amounting to little in itself, established the principle, and it was very gratifying to have the women appear on Monday, their "pay day," to receive the \$3.00 earned by their husbands the previous week. This payment reconciled them to having the husband punished as he deserved and kept them from begging for his release because they were absolutely deprived of the money which he might pos-



sibly, but almost certainly would not, earn if released without the salutary effect of the imprisonment. The principle having been established, the appropriation for the fiscal year 1909 was raised to \$2,400 to provide adequately for such compensation to needy families.

Here an instance occurred which illustrates the confusion of thought and lack of knowledge in such matters. A member of the sub-committee on appropriations for the District, who came from a district in the far South in which the fifteen counties all told did not contain half the population of Washington, passed the prisoners one day in Rock Creek Park. The energy of their movements was apparently not up to his standard, and he sought to show his zeal for the protection of the interests of this great nation not only by insisting that the appropriation of \$2,000 asked for the succeeding year should be refused, but by inserting instead in the appropriation bill a clause repealing the provision in the law calling for such payments. This action at once revealed the importance of the provision, which had originally been inserted rather because of its theoretical appropriateness than because it was supposed to have so much practical value. Judge DeLacy of the juvenile court declared that the loss of the provision would be disastrous to his work, and although the congressman was shocked at the thought of providing the prisoners with board, lodging, lights and "even baths," at public expense, and allowing this compensation to the family in addition, it was explained to him that he was not called upon by the citizens of the District, who pay half the taxes, to endeavor to take the bread from the mouths of destitute women and children in order to save money for the public, and the necessary appropriation was granted. This incident cleared the air and there has been no trouble about it since.

The record of results for the six years is as follows:

Fiscal Year ended June 30th.	Appropriation made for payment of earnings	Paid for earnings of men under sentence	Collected from men under sentence	Totals
1907.....	\$200.00	\$200.00	\$6,050.59	\$6,250.59
1908.....	200.00	190.50	21,888.56	22,079.06
1909.....	2,400.00	2,340.00	38,319.65	40,659.65
1910.....	2,000.00	1,692.50	30,808.28	32,500.78
1911.....	3,500.00	3,447.50	38,684.97	42,132.47
1912.....	3,000.00	3,000.00	39,205.11	42,205.11
Totals.....	\$11,300.00	\$10,870.50	\$174,957.16	\$185,827.66

It will be noticed that the amount paid out for earnings in the workhouse is less than seven per cent of the amount collected from men under suspended sentence, but it has been perhaps the greatest factor in securing the regular payment of these sums. This payment for earnings is not a loss to the public. It is like the water used in priming a pump, which starts a steady stream that may be made to flow indefinitely.

One reason for making the men work in Rock Creek Park was that the old workhouse was overcrowded. In 1910 the government purchased 1,154 acres of land at Occoquan, about twenty miles from the city, and in June prisoners were sent down to begin the construction of buildings in the proper development of the property. By July 1, 1911, accommodations for men, and women, too, had been provided, roads had been constructed and a filtration plant, an ice plant and a sewage system established, all at a relatively small outlay, because the labor was almost all performed by prisoners. A brick-making plant with a capacity of 40,000 bricks per day had been constructed, and a stone quarry with a capacity of several hundred cubic yards of stone per day opened up; and after the completion of the buildings, prisoners were put to work in these to furnish the brick and stone needed by the District in the construction of sewers and for its other work. These buildings are kept in clean and wholesome condition and as white as whitewash can make them. A large part of the sides are glass, which can be thrown open during the warmer weather, so that during most of the year the prisoners, in effect, sleep out of doors, as they would do in a sanitarium for tuberculosis. As Commissioner Judson stated in his report: "From records kept it is apparent that those who pass through this institution come out in very much improved physical condition and hardened to work. The luxuries provided for the prisoners are inexpensive, consisting of plenty of sunshine, fresh air, work and cleanliness. These luxuries do not tempt men to break into jail, are not costly to the community, but are reforming and improving influences."

Could anything better demonstrate the healthy influence of honest work in all our prison system? It is evident that the work, while not competitive, meets a legitimate demand, and, without being specially difficult of direction, has a decided value. From a commercial standpoint the payment of \$3.00 per week to the families

of men committed for non-support is not charity, but only a proper direction of the man's potential earning power, particularly since they now work all day long without losing the time formerly consumed in taking them from the workhouse to Rock Creek Park and back. The system ought to be extended so that the same payment will be made to those dependent upon any man committed for any other offense; and still further so that any man whose earnings are not required by persons dependent upon him may accumulate the like sum of \$3.00 per week as a fund for his support after being released, which will keep him out of temptation and carry him along until he can obtain suitable work, for which his experience in the healthy, open-air work at Occoquan has prepared him.

Provision for indeterminate instead of the present short-term definite sentences would add much to the usefulness of the workhouse, and by keeping such men longer under these favorable influences would start again towards port some of those who are already considered, or are fast becoming, the derelicts of society.

The wretched conditions in the jail, due largely to overcrowding and idleness, by which the government had long been disgraced, and of which Justice Wendell P. Stafford spoke most earnestly at the annual banquet of the University Club here six years ago, no longer exist, thanks to the attention of which that was the beginning. The jail was turned over to the District authorities on July 1, 1911, after the workhouse was established, and provision made by law for the transfer of those committed to it to the workhouse, where they are employed at useful labor as described, instead of being kept in idleness as before. The jail is used as a place for this transfer, or for the detention of those awaiting trial, and the population has been reduced from an average of more than five hundred to about two hundred, which will be further diminished by an effort on the part of the courts to provide for speedier trials.

These improvements are part of the penal plan adopted by Congress on recommendation of the jail commission, of which Justice Stafford was chairman, which also includes a reformatory, with useful labor, much on the plan of the workhouse, but intended for young men, first offenders and the more hopeful cases, who ought not to associate with those in the workhouse. A fine tract of 1,500 acres of land, bought for the purpose in 1910, had to be given up because of the opposition of those interested in Mount Vernon,

although it was nearly five miles distant, and no other site has yet been provided; but the legislation necessary to procure one has been recommended, and it is to be hoped that this part of the plan will be carried out ere long.

The most desperate criminals from the District are sent to the United States penitentiaries at Leavenworth and Atlanta, so that a prison of that grade here is not an absolute necessity. The probation system is working well, and with provision for the indeterminate sentence, with sufficient parole officers, and the reformatory, the penal plan of the District would be on a very satisfactory basis, with the useful labor required of all prisoners in the reformatory and workhouse as a very important feature.





## COMMUNICATIONS

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### SCIENTIFIC FARMING AND SCIENTIFIC FINANCING

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BY LEONARD G. ROBINSON,  
New York.

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The complaint is general that American agriculture has not kept pace with the growth of population, that its progress has not been commensurate with industrial progress, and that the phenomenal growth of the city has frequently been achieved at the expense of the country. The fact is, enthusiastic back-to-the-soilers notwithstanding, that farming has its drawbacks. This is not peculiar to the United States. In 1897, according to Mulhall, forty per cent of the world's population was engaged in agriculture and thirty-one per cent of the world's capital was employed in it but its share of the world's profits was only twenty per cent. To-day with the large increase in land values and farm equipment, the disparity should be greater if anything. The question why farming is not as profitable, nor as attractive in other respects, as it should be, is variously answered, depending upon the point of view. The railroad, the middleman, society, the government, the farmer, each receives a share of the blame; the farmer a little more than his share.

Doubtless our rural transportation facilities are far from the best. The wide divergence in the price of farm products between producer and consumer is also indisputable. It must further be admitted that the farmer himself has displayed a woeful want of progressiveness and has not readily responded to the best thought dealing with life on the farm. But all this is not enough to account for the bankruptcy of country life. The cause is more insidious and more deep seated.

But for the fact that it is frequently disregarded or treated as of secondary importance, it would seem superfluous to say that capital is needed in farming as it is in any industrial enterprise. To farm properly and profitably—scientifically, if you will—the land must be improved and brought to a high state of productive-

ness; buildings should be ample and in good repair; and equipment modern and adequate. All this apart from the initial investment in the farm. In addition the farmer must have money to put in his crop; to live till the crop matures; to harvest it; to market it. Granting that his crop is good, in what position is he to market it advantageously if he is obligated to sell to his creditors, as the case very often is, or compelled to sacrifice it in order to meet his urgent debts? Again, even with fair prices, how is the farmer to make a profit on his operations if he pays all kinds of prices for his capital? Does it not seem a little unreasonable to presume that agriculture can thrive under conditions that would wipe our railroads off the map, shut the doors of our factories, and paralyze all legitimate commercial activity? What farming really needs is not so much scientific farming as scientific financing.

The lack of an adequate system of agricultural credit is set down by President Roosevelt's Country Life Commission, as one of the most prominent deficiencies of country life. "The present banking system," says the Commission's report, "tends to take the money out of the open country and to loan it in town or to town-centered interests." Once a year, it is true, Wall Street is thrown into a financial fever over the shipment of money to the interior for "crop moving," but this seasonal inflow of funds has little, if any, effect on the rural credit situation. To begin with, the money comes the wrong time of the year. Instead of being available in the spring when the farmer could put it to profitable use, he gets the money in the fall, just in time to pay the debts he contracted at the beginning of the season at ruinous rates. In any event, the money remains in the interior but a month or two and soon finds its way back into the vaults of the city banks.

How the migratory tendency of money toward the city is abetted by our national banking system was demonstrated at a recent hearing before the Congressional Committee on Banking and Currency. It was shown that out of \$10,662,564.78 on deposit in forty national banks, in one congressional district in Minnesota, \$6,446,715.01 was in time deposits not subject to check. As these banks are not permitted to make mortgage loans, a good part of this money, if not idle, has in all probability gone to the reserve cities to be loaned out on call at two per cent or thereabouts, while the farmers in that district must do as best they can without their

much-needed funds. The same is no doubt true of most every part of the country.

Because of the further tendency for capital to seek investment in industrial and commercial enterprises rather than on the farm, the farmer is by no means sure to get his fair share even of the loanable funds locally available. The reason is not far to seek. The farmer is not an easy customer to deal with. His methods of doing business are a little primitive, and the distance from town makes proper attention to farm loans inconvenient if not exceedingly difficult. Moreover, the farmer and the banker have little opportunity to get together. They do not belong to the same church, lodge, club, or social set. Perhaps the farmer is not even a depositor. He is not influential enough to command credit and, outside of the righteousness of his cause and the intrinsic merit of the security, has little else to offer for it. It is easy to see, therefore, that as a competitor for credit, the farmer is not an unqualified success.

At bankers' conventions it has been customary to discuss the relations of the banker and the farmer. These discussions generally end in talk. Sometimes not even in that. A fair sample of the interest of the average banker in the farmer was shown at the Farmers' Week at Ithaca last winter held under the auspices of the New York State Agricultural College. The program called for a conference of country bankers, with the usual discussion as to how the country banker can help the farmer. The only bankers present were a professor at the college, an editor of an agricultural paper, and the writer.

The inherent difficulty lies in the misconception of the functions of banking. Banking and credit are not synonymous. While banks do a credit business, the ordinary bank cannot adequately or efficiently fulfil the functions of a credit institution. Viewed in the light of a purely private enterprise, the interests of the banker and of the farmer are not always identical. The first duty of a bank is to protect its creditors, the depositors. It must see that its investments are safe and secure. That done, its business is to make as much profit as possible for its owners or stockholders. The use to which its money will be put by the borrower is of minor importance, and frequently of no importance at all. The banker's chief lookout is that his money is not idle and that it is well secured, and his policy

is shaped, as a rule, by other considerations than the legitimate needs of the borrower or the interests of the community.

That our banking institutions do not satisfy the legitimate needs of the farmer is generally admitted, though seldom sufficiently emphasized. The effect of our peculiar banking and currency system on the farmer is tersely summed up by Professor E. W. Kemmerer in the *American Economic Review* of December, 1912. "Farming business," he says, "is pre-eminently seasonal in character; the farmers over the greater part of the country need funds most at about the same times of the year, i. e., the fall and spring. A great increase in the demand for currency and capital, say in the fall, under an inelastic currency and credit system like our own, means to the farmer, highest interest rates at just the time when he needs most to borrow, greatest scarcity of cash at just the time when his need for cash is the most urgent, and prices depressed by a tight money market at the time of the year when he has most to sell."

In many of our western states the legal and prevailing rate of interest is twelve per cent, not reckoning the bonus, commission, expenses, and other subterfuges invented by the ingenious money lender, and designed to circumvent the usury laws or to mollify the public conscience. Conditions in the East are no better. Many instances have been brought to my attention in New York, New Jersey, Connecticut, and Massachusetts, where farmers have been paying twenty-five per cent and more for accommodations. There are localities not many miles from New York where the farmer cannot obtain a loan on a gilt-edged mortgage because the local savings banks, "the banks of the people," find it more convenient to invest in the bonds of the Singapore gas works or to do business with the local real estate operators.

Continental Europe has found the solution of this problem, as have other countries outside of Europe, in the creation of banking systems specially designed to answer their agricultural requirements. The one underlying principle of all these systems is the paramountcy of the borrower's interests consistent with sound business policy. Another noteworthy feature is the complete or partial separation of land credit and agricultural credit, so-called. The first is long-time credit secured by mortgage. The second is short-time credit, and the promissory note is ordinarily the sole form of security. The distinction is important as bearing upon the development of

credit institutions. Land credit, being more or less impersonal, permits of the non-cooperative system and seems to find it preeminently favorable for its best development. Short-time credit, on the other hand, is in its nature personal and the relationship between debtor and creditor more intimate. The cooperative system has therefore been found more suitable for this form of credit and has been almost universally adopted, with such modifications, however, as the traditions, the temperament, and the needs of the individual country demanded.

The oldest land credit institutions extant are the German *Landschaften*. They are the creation of Frederick the Great, who decreed the compulsory association of the noble land owners for cooperative credit. The first *Landschaft* was organized in 1769. A distinctive feature of these associations is that they loan not money, but credit. They issue bonds to the borrowing member for the amount of his loan, which may be as much as two-thirds of the value of his land, and he sells these bonds either in the open market or to banks specially organized for the purpose. [No loan can be refused to a member, and its repayment depends entirely upon the pleasure of the borrower. The interest rate on these bonds rarely exceeds four per cent. The only charge to the borrower is a premium of one-half to one per cent to defray administrative expenses.

The *Landschaften* now number eighteen. A fair idea of the magnitude of their operations can be gained from the fact that in 1906 their outstanding bonds amounted to over nine hundred million dollars. These bonds sell on the basis of three and a half per cent and lower, which is proof of their popularity with the investing public. Strangely enough, this system of land credit does not appear to have met with favor outside of Germany and has remained exclusively a German institution. It seems possible that its aristocratic lineage and the traces it bears of German feudalism have militated against a more general adoption of the *Landschaft* system.

Probably the best type of non-cooperative land credit institution is the *Crédit Foncier*. This bank, which has virtually a government monopoly of land credit in France, was organized in 1852. It is a limited liability company with a capital of two hundred million francs and with the right to issue bonds to the extent of its loans. It loans on mortgage up to fifty per cent of the land value. The



interest rate is fixed at four per cent a year and, by means of an ingenious amortization plan, the payment of a small additional percentage extinguishes the entire indebtedness after a period of years. Outside of the loans to communes and municipalities, the *Crédit Foncier* in 1910 granted 6,595 mortgage loans aggregating 142,911,556.79 francs, and its bonds in circulation at the close of the year aggregated a total of 2,279,530,950 francs. Notwithstanding the extremely low interest rate, the *Crédit Foncier* is a paying institution. In the year above mentioned it declared a dividend of 6.4 per cent on its large capitalization besides putting five per cent of the net profits into the reserve fund. It is inconceivable that American financiers should have overlooked so fruitful a field for investment and so excellent an opportunity for signal public service.

However, it is cooperative agricultural credit as typified by the *Raiffeisen* system, and in a lesser degree by the *Schulze-Delitzsch* system, that has exercised the most potent influence in the regeneration of agriculture the world over.

In 1849 Frederick William Raiffeisen conceived the very unorthodox idea that the real capitalists were the masses and that the bankers and big financiers were only capitalists by sufferance. He concluded that the masses could supply their own credit requirements, provided a workable plan could be devised to bring the lender and the borrower together. Inspired, no doubt, by the wonderful success of the *Landschaften*, he resolved to adapt the principles of cooperative credit to the needs of the poorer class of farmers.

But the peasants had not the wealth of the large land owners. Here is where Raiffeisen was guilty of another heresy. Credit, to him, signified faith. He believed that the average man was honest and that communities were dependably so. He, therefore, felt that he could command the required capital by "capitalizing the people's honesty." Accordingly, with little money but with unlimited faith, the first *Raiffeisen* bank was organized.

The principle upon which cooperative credit rests is mutual responsibility. But where the merit of the borrower rather than the security is the primary consideration, qualified responsibility is not sufficient to inspire public confidence. Absolute and unlimited liability of the members has therefore been adopted as one of the fundamentals of the *Raiffeisen* system. Such responsibility is

feasible only where the relationship between the members is close and intimate, their knowledge of one another's character and needs adequate and complete, and they are in a position to see that the borrower makes proper use of the loan and to discover any disposition on his part to treat his obligations lightly. These conditions are to be found only in associations whose membership is small and whose operations are restricted to a limited area. The *Raiffeisen* system therefore is the system *par excellence* of the small local bank.

The growth of these banks has been stupendous. In 1908 Germany alone had 16,092 cooperative credit banks of various kinds with a total membership of 2,202,950. It should not be assumed, however, that they had easy sailing. Not the least of the numerous obstacles they had to overcome was an inimical and harassing government bureaucracy. Gradually obstacles were surmounted and obstructions removed. The idea of cooperative credit gained headway and the number of banks increased with great rapidity. Even the government saw its error and in 1895 established a bank for the special purpose of loaning them money. The need of central organizations soon became felt and resulted in the organization of central banks to act as financial clearing houses and of federations to act as moral and educational clearing houses. In 1909 the National Federation had 12,614 constituent banks with a membership of 1,163,186. These banks loaned out during that year a total of \$214,694,794. Their working capital was \$461,089,632 of which but eleven per cent was from outside sources, the balance having been supplied by their members, chiefly in the form of deposits which amounted to eighty-five per cent of the working capital.

Cooperative credit as an institution did not long remain exclusively German. It became a world movement. Italy followed in 1883. Austria fell into line in 1886, Ireland in 1895, and France in 1899. Russia has its cooperative credit banks; so has India. In 1909 Japan, "the Yankee of the East," had 1,886 cooperative credit associations with a membership of 167,760. The dominant influence of cooperative credit in the world of finance is evidenced by the vastness of its business operations. It was estimated that the outstanding loans of a more or less cooperative character in continental Europe in 1897 aggregated a total of \$4,600,000,000.

Singularly, in a movement of such world-wide import, the United States has been content to remain a passive spectator. While

it is true that private investors and our existing banking institutions do in a crude way supply the need of long-time or mortgage credit, short-time credit is virtually non-existent, and the average American farmer must still depend for his annual working capital upon the generosity of his neighbors, the forbearance of the local storekeeper, or the cupidity of the usurer.

However, both land credit of the *Crédit Foncier* type and co-operative agricultural credit of the *Raiffeisen* type have found a foothold in this country, although in a very limited field. The honor of introducing these two systems of credit into the United States belongs to a philanthropic organization, The Jewish Agricultural and Industrial Aid Society. The society was organized in 1900 with the object of assisting Jewish immigrants in the large cities to go into farming. Its funds are derived from the large fortune bequeathed to charity by the well-known French philanthropist, the late Baron de Hirsch. It is a New York corporation with headquarters in New York City, although its operations extend to nearly every state in the Union. The society has as its trustees some of the leading American Jews, Mr. Jacob H. Schiff being one of its incorporators.

In its essentials the credit system of The Jewish Agricultural Society differs little, if any, from that of the *Crédit Foncier* and other agrarian banks. But here is where the difference becomes marked. The society's funds being limited, it does not as a rule loan where the funds are elsewhere obtainable. It rarely, therefore, makes loans on first mortgage. Most of its loans are on second mortgage and not a few on third and even fourth mortgages supplemented sometimes by chattel mortgage or other collateral. The society loans up to seventy-five per cent of the value of the land, although in special cases it has loaned even beyond the land value. During the last twelve years it has granted 2,178 loans amounting to \$1,256,114.05. The loans average around five hundred dollars. They are repayable in moderate annual instalments, their average duration being about ten years. The interest charge is four per cent. Considering that the security taken by the society is mainly substandard, it speaks well for the farmer as a debtor when it is shown that the repayments during the last twelve years amounted to twenty-six per cent of the total loaned and the losses less than three per cent.

So much for land credit. As for strictly agricultural or short-time credit, while the society felt that this form of credit was within the scope of its work, it found itself unable to cope with the situation. With headquarters in New York and a clientele scattered from Maine to California, the society could not keep in sufficiently close touch with the borrower to permit of its extending personal credit.

To obviate these difficulties the society decided upon the adoption of the *Raiffeisen* system of cooperative credit. In 1909 it set about to organize cooperative agricultural credit associations in the Jewish farming communities in which it was interested, although, owing to legal difficulties, the first of these organizations did not come into existence till May 1, 1911.

All told, the Jewish Agricultural Society organized eight Farmers' Credit Unions—four in New York and four in Connecticut. Four more are now in the process of organization in other states. Each of them raised five hundred dollars through the sale of shares to its members and the society loaned them one thousand dollars, that is, two dollars for every dollar of their own. These loans to the Credit Unions are secured by promissory notes bearing interest at the rate of two per cent. According to their reports for the fiscal year ending September 30, 1912, their total membership numbers 240 and their outstanding shares 844, making a total capital of \$4,220. The average length of time they have been doing business is ten months, during which period they granted 342 loans aggregating \$23,375, nearly six times their share capital. Their net profits for the period amounted to \$425.88, or at the rate of more than eleven per cent per annum on that capital.

As stated, these Credit Unions are modeled very much after the *Raiffeisen* system. Their operations are confined to a small area and membership is open only to members in good standing of the local Jewish farmers' association, which is itself a member of the central organization—the Federation of Jewish Farmers of America. The Credit Unions are highly democratic and are controlled entirely by the members. Shares are five dollars each and every member has the same rights and the same voice, irrespective of the number of shares he may hold. Loans are granted only for productive purposes or urgent needs. They are not granted for a period exceeding six months nor for an amount over one hundred dollars. Interest

is charged at the rate of six per cent, and the security required of the borrower is generally a promissory note with one or more responsible endorsements.

While it may be a little early at this stage for these pioneer credit banks on American soil to show their full effect, some of the results of an adequate system of cooperative credit have already manifested themselves in the communities in which they exist. The farmer finds no difficulty in obtaining a moderate loan for productive purposes quickly and cheaply. The pernicious activity of the local usurer has thus been largely curtailed and the overbearance of the local storekeeper is in evidence no longer. Not the least important is the moral and educational effect of these associations. The Credit Unions have endowed their members with a high sense of mutual responsibility and have stimulated them to further effort in the direction of cooperation and mutual self-help.

Does all this suggest nothing whatever to us? It is true that the question of agricultural credit is beginning to receive considerable attention in this country. By order of President Taft the United States diplomatic representatives abroad made a study of the rural credit systems of the countries to which they were accredited, and only recently he had the governors of the states for a conference at the White House on the same subject. The Southern Commercial Congress, too, is agitating the appointment of a select commission to go abroad to study the question. There also is a movement afoot for a government commission for the same purpose. While the commission idea has no less an advocate than David Lubin, the American delegate at the International Institute of Agriculture at Rome, I am inclined to agree with Ambassador Herrick, who says in his report to the President:

"The time has now arrived for action in the United States. Very little can now be gained by further study in the European field. The investigations which are being carried on by the agencies mentioned in this report have already gathered nearly all the material required concerning the working principles, business methods, and achievement of the farm and land-credit systems."

What is needed is not a commission of study but one of action. We have learned all that we are going to learn of the European credit systems without actually putting our hands to it. To my mind, in order to establish cooperative credit in the United States,



we must have (1) legislation to facilitate the incorporation of such associations; (2) education to bring to the American farmer a true appreciation of the benefits of such associations; and (3) organization, that is, leadership to perform the actual task of organizing and starting these associations.

The operations of these banks are extremely simple. Any man with a modicum of horse sense and a smattering of bookkeeping is quite competent to take charge of the management of a cooperative credit bank. The business of a Credit Union is far less intricate than the daily operations of the average farmer. What the European and Asiatic ignorant peasantry have done the American farmer can also do. Considering, too, what has been accomplished abroad by the various land banks and by a philanthropic organization with limited means here, what could not an American land bank, commanding the confidence and the resources of the entire country, accomplish?

Meanwhile, the cry of "back to the farm" rings hollow when our experienced farmers and their sons are compelled to abandon their farms because they are denied the financial facilities to conduct them properly. Let us not blame the farmer for not getting the most out of his farming operations and at the same time withhold from him the only means that makes profitable farming possible. Just a little scientific financing and there will be little to worry about scientific farming.

## DEVELOPMENTS IN CHINESE LABOR SITUATION

BY GEORGE E. ANDERSON,  
Consul-General, Hongkong.

The increasing cost of labor in the open ports of China, which has been noted particularly for the past five years and which is also felt to some extent in all producing centers of China without regard to their connection with foreign trade, seems to have assumed a critical turn with the political uncertainty and political changes which have been experienced during the past two years and a half. This certainly has been true of South China. In nearly all lines of industry wages have risen from five to twenty per cent in that part of China which is tributary in a trade way to Hongkong. In some cases the rise in wages has been sufficient to completely change conditions under which goods for export are produced and the change already is materially affecting trade with foreign nations, including the United States. In the matting trade, for example, the rise in wages has been such that in spite of the fact that the current season has developed no difficulty as regards supplies of straw,—the supply, in fact, has been better than usual—the cost of manufacture has so increased as to make it impossible for producers to make and ship goods at anything like the old rate. The cost of rattan furniture, blackwood furniture, fire-crackers and all similar products into which the cost of labor enters as the controlling element has advanced about ten per cent on an average. In industries supplying native needs, such as Chinese shoemaking, Chinese tailoring and hat making, furniture manufacture and the like, the advance has been from eight to twenty per cent. The price of household service has advanced from ten to twenty per cent and the difficulty of securing acceptable service at even the advanced rates is increasing. Wages of tailors on foreign work have advanced as much as twenty-five per cent, though this is accounted for largely by the increased demand for foreign style clothing. Wages of printers, carpenters, masons and all trade mechanics have advanced similarly. In all lines of labor the increase is manifest either in actual advance or in agitation and restlessness which represent prospective advance.

The increased price of rice which has obtained over all the Far East in the past two years has had a marked influence upon these labor conditions, but there is no question that the chief element in the change has been in changing conditions in the Chinese labor world, and it is becoming more and more evident that the political changes in China are accompanied by economic changes which may as profoundly affect the country as other developments and which are likely to first affect foreign trade. The situation is opening up in a direct and practical way the entire question of the place Chinese labor is to have in the industries and trade of the world in the immediate future, and in a general way it is becoming evident that Chinese labor has advanced along the road of modern industrialism and that it is commencing to demand a return for its efforts which is more commensurate with that received by similar labor in other lands.

The mass of labor in China, of course, still remains in practically the same condition it was found by foreigners when China was first opened up to foreign trade. In the open ports and in those portions of the country in touch with foreign industry and trade and foreign ideas and appliances, this same labor has given and is now giving an indication of what the general advancement of China along modern lines means to Chinese labor. This advancement is shown in nearly all lines of modern industry,—in electrical enterprises and railways, in navigation, factory work, mining, milling and almost all similar lines. A review of the modern industrial work so far undertaken in China gives every assurance that the mass of the Chinese people as a whole will respond readily and effectively to the demands made upon them by modern industrialism. There are many reasons for believing that the industrial future of China now hinges more upon the higher training and thorough equipment, as well as the native ability of its educated classes, rather than upon the great mass of the people which must furnish the ordinary workmen for all modern industrial undertakings.

The experience of railway construction and operation in China to date has been such as to promise effective railway work. The chief engineer of the Kwangtung section of the Canton-Hankow railway line, now in partial operation the further construction of which is being pushed forward, reports that one of the most encouraging features of railway work in China is the readiness with which Chinese workmen grasp new ideas in mechanical lines. He has found that

when once new apparatus is explained to them and its use demonstrated, they grasp not only its advantages but the practical principles upon which it operates. They may not understand the scientific reasons why a machine will do what it actually does, but they accept the fact that it does it and take advantage of it accordingly. In railway work they have been found to make good locomotive engineers, not only because of their ability to manage the locomotives on a track but because of their ability to grasp the details of locomotive construction and to care for the machines in a proper manner. They make good boiler makers, molders, car makers and shop men generally, and particularly are useful in general repair work. They also make good conductors and brakemen, good trackmen both as regards ordinary work and light engineering work, are skilful carpenters and bridgemen,—in short, they adapt themselves to all lines of railway work.

The Chinese workman has already proved his worth in many other lines of modern industrial effort. In Hongkong there are the two largest ship construction and repair concerns in Asia with the exception of certain modern yards in Japan. In these dock-yards Chinese workmen have shown themselves adaptable to all lines of technical work as machine men, molders, carpenters, plumbers, sail makers, workers in iron and brass, draughtsmen and all other lines of ship-building and repair work. In the operation of ships themselves the Chinese are among the best sailors in the world, and the fact that they are now rapidly supplanting European crews on most ships sailing in this portion of the world demonstrates their worth in practical lines of technical and general work aboard ship.

In Hongkong, Chinese chauffeurs drive automobiles with notable success. They are successful motorneers and conductors on street railways; they are successful stationery engineers; they are successful as repair men for motor boats, automobiles, handling modern motors of all kinds with success. Practically all the launches in the immense shipping interests in Hongkong are handled entirely by Chinese. In street railway work they are practical trackmen. They are practical road builders and handle modern steam rollers in such work. In Hongkong, Chinese workmen are successfully furnishing all labor, save chief superintendence, for glass factories, paper factories, rope works, candle factories, soap factories, canning factories, match factories, cement factories, shoe factories and other estab-

lishments of the sort, many of the establishments having modern machinery and the latest economical appliances. Chinese workmen are successful expert repairers of sewing machines, typewriters, phonographs, watches, clocks, cameras and practically all lines of foreign machines and apparatus sold in the Far East.

Chinese workmen, as a rule, are economical of materials and careful of machinery. They are very careful of tools, use them skillfully and bear with imperfections which western workmen would not accept in tools or apparatus at all.

As a rule, northern Chinese workmen are considered the best among the Chinese, and yet it should be noted that the experience of the Hanyang Iron Company at Hankow has been that their best workmen are from Canton in the extreme south of the empire, their next best from Ningpo in central coast China, and their third best from their own province in mid-China. The Cantonese by centuries of training are unquestionably the best adapted, of all Chinese, to industrial life. Canton is to-day, and has been for years, the center of an industrial life which has few counterparts in the world. That city of perhaps a million and a half population is one great hive of industry and trade. Its industrial production, like that of all China, is from small shops and hand work, but the aggregate is enormous, while the industrial training given its people is one of the great assets of China in the modern industrial life the nation is now entering upon.

Nevertheless Chinese labor is not to be considered upon the same industrial basis as European or American labor. In mill work and similar employment it is generally rated at about ninety per cent of European efficiency and at about one-seventh the wage cost. In other lines its efficiency is not so great. Many things are to be considered in this connection and it is doubtful whether in the long run Chinese labor will be found much more than half as cheap as European labor, and as the country develops industrially it makes such new demands upon its people that wages must rise in proportion. This inevitable rise is the change which is now upon us. Probably the change will come by irregular advances with perhaps a reaction from time to time. It will probably proceed along lines similar to those followed by a similar change in Japan. It may be relied upon that China is to develop industrially to a more or less extent at once, and that its modern industries will be embarrassed in no way by a lack of



intelligent and efficient labor at a reasonable price. But it is quite unlikely, both as a social and an economic proposition, that there will be any flood of Asiatic products in Europe and America as a result of such development. The country and people will do very well indeed if their industrial advancement can keep pace with the increase in their own demand for the products of such industrial development.

## THE UNAPPRECIATED TIN-PEDDLER HIS SERVICES TO EARLY MANUFACTURERS

BY R. MALCOLM KEIR,

Instructor in Industrial Economics, University of Pennsylvania.

It seems to be a trait of human nature that in the glamor of a big success the small beginnings that made the success possible are forgotten. Some of the great industries of which New England is so justly proud have ceased to remember that they owe their start to the humble and even despised peddler. Because the peddler in his zeal for a bargain often used trickery,<sup>1</sup> that is the thing on which his reputation rests, and not the real service he rendered to the struggling industries of his day, by disposing of their products. The story of the peddler takes us back to early colonial Connecticut.

The first settlers in Connecticut followed the general rule that farming, the getting of a food supply, interests men before any other industry. It is only when agricultural opportunities fail that other modes of earning a living are sought. Connecticut pioneers picked out the rich farm lands along the Connecticut River, and in so doing seized nearly all the land available for agriculture. In the rest of the state the soil is thin and full of rocks, so late comers in Connecticut had to seek some way of gaining a livelihood other than farming. Shipbuilding and fishing became the industries of the shore, distilling rum and molasses the occupation both inland and along the coast. But these failed to fill the demands for employment, so many settlers emigrated westward. It remained for two enterprising immigrants to find a new profitable home industry.

These two were brothers, William and Edward Pattison, who had come to a settlement on the Connecticut River in 1740, and finding no farm lands to their liking, set up the business of making tinware, a trade they had learned in England. This industry required little capital, or labor, and so was fitted for pioneer conditions. Its market was good, for tinware had previously been a high-priced imported article, much prized. The brothers imported sheet tin

<sup>1</sup> For instance, he was guilty of selling hams made of bass wood, cheeses of white oak and nutmegs of wood.

from England at Boston; then carried it by horseback to the Connecticut River town, where it was pounded into shape with wooden mallets over anvils. When a goodly supply of wares was prepared, it was packed into a sack, and with this slung from their shoulders the brothers traveled on foot through the nearby settlements, making house-to-house calls until the stock was sold. Thus began the Yankee tin-peddler.

After a little while the range of the brothers' travels became too great to be covered on foot, so ingenious baskets were fitted to horses' saddles, and the peddlers rode about their business. As their trade continued to increase, young apprentices were taught the art of making tin. The brightest, most reckless young men in the home town were sent out on the road with one or other of the brothers to learn the lures of a trade, involving on one side shining tin, and on the other, caraway and mustard seeds, feathers and old metal. These young men became that great institution, the Yankee tin-peddler. They were brave, for no coward would venture alone on the long journeys at that time. They were clever, for they had no rules to guide them through the accidents of the road. They were highly immoral, for they were always among strangers and alone. They were keen-witted, for they were pitted daily against sharp pioneers. And they were full of tricks, for they would do anything to make a trade.

Of course the neighbors of the Pattison brothers copied their success, and soon Connecticut was the recognized center for tinware. Each home shop sent its corps of men to tour the colonies, so the nasal-toned Yankee peddler was known wherever two or three people were gathered together. When the nation began to build turnpikes, in 1790, these roads enlarged the peddlers' operations, for they allowed him to use a wagon of his own invention instead of the back of a horse. The wagon was designed to carry the most wares in the least space, and was a maze of secret compartments, hooks and drawers. With the coming of canals and roads the peddlers perfected their organization.

Single or two-horse wagons were started from Connecticut in the spring, and traveled north, south and west toward pre-arranged depots. In the fall, workmen from the Connecticut shops were sent by water to such central points as Montreal, Richmond, Charleston or Albany. There they made new articles of tin from raw materials

which they had carried with them. Peddlers worked toward these central points to replenish their wagons, and then struck into the interior for the winter, making house-to-house canvass of their wares. In this way literally every hamlet in the colonies came to know and use the Yankee notions sold by the peddlers.

After 1820, roads had been enough improved so that depots were established at favorable inland points, as well as at points reached by waterways, and so operations were extended still further inland, even to the remotest frontier. Since the currency was in a chaotic state, much of the trading was simply bartering, the peddler taking household products to the towns and town products to the farms, until such times as he could sell for actual money. At the end of a six or eight months' trip the peddler sold his horse and wagon wherever he could, and then made his way back to Connecticut with his gains for his employer. Thus was built a strong distributing and selling organization that closely resembles in some of its details the oil monopoly of to-day, whose hold is in distribution and not in production. The peddlers were not individual traders, but were employed by a few capitalist tin makers in Connecticut. The supply stations were established at strategic points and from these, regular routes ramified in all directions. Thus the whole country was controlled by a complete distributing system.

All this elaborate organization was in the sales department of the business. Its manufacture remained a simple thing. A small shop, rarely employing more than fifteen or twenty men, and seldom conducted on what we know as the factory system, sufficed to keep several times as many peddlers supplied. Connecticut was the recognized leader in the tin industry down to 1850, but the state does not owe so much to the value of the goods produced or to the number of men employed at home as it does to the perfection of an intricate selling system, and the extension of the fame of Connecticut as a manufacturer of useful articles. Tin no longer holds a high place in the state, but the other goods which were carried to their market by the organization made to sell tin, and so dependent on it for their success, have become permanent, valuable assets for the state.

It will be interesting to trace some of these other industries. For that purpose brass goods and clocks have been selected.

The brass industry had its humble beginning in the manufacture of buttons. The first buttons were made of pewter, and cost as high

as a dollar apiece. Pewter buttons gave way before those made from brass. Brass is an alloy made from copper and zinc. The copper for the brass buttons was obtained from old sheathing in Connecticut ship-yards, or from worn-out copper kettles of the rum distilleries. This was mixed with imported zinc and made into sheet brass in mills that had cast and rolled iron in the western part of the state before the Revolution. There was no thought of selling the sheet brass, for there was no market for it. Buttons did have a ready market, and a high value with little bulk, so sheet brass was stamped into buttons which were gilded and put on sale. Since buttons were made of metal, they were usually sold by hardware dealers. The dealers refused to have anything to do with American-made buttons, claiming that English buttons were superior in quality and appearance. But for one thing, the infant industry would have died early. Shut out of one market, the experimenters reached a better, more direct one, by handing over their buttons to the peddlers. Since the buttons took little room the peddler could easily add them to his stock in trade. Through him they found a ready and increasing sale. Although brass was first made to supply buttons, improvements in casting and rolling brass so increased the supply of the sheet metal that the demands for buttons alone could not utilize the surplus. New uses had to be created. The new products were all small. Brass kettles to hang alongside the tin vessels on the peddler's wagon were manufactured. Wire was drawn from the sheet brass, then stamped into pins or hooks and eyes. The peddler was glad to add these things to his outfit, because the greater variety of wares to display made him more sure of striking a trade.

There is a great difference between the tin industry and the brass. Tin manufacturing always remained a simple, small-scale affair. Brass has grown to giant proportions. Tin employed few workers. Brass employs thousands of skilled and unskilled men, women and boys. Tin was short lived. Brass has been a permanent valuable addition to the state. But, nevertheless, the great brass industry is greatly indebted to the tin industry which went before it, for without the selling organization provided by tin, the brass buttons could have reached no market.

For the manufacturing of clocks, too, the peddler supplied the market. In our colonial period, clocks were ponderous affairs made of wood and standing higher than a man. The spur of necessity



made the people of New England find new ways to gain a livelihood. Clock making was one of these new methods. The settlers applied their ingenuity toward making the clock cheap enough to go into the ordinary home, and less of a curiosity. The first improvement was the making of interchangeable parts. This alone greatly increased the production of clocks and cheapened their cost. Next the clock was made small enough to stand upon a shelf. This marked a new era. The small shelf clocks, like buttons and pins, found their market on the peddler's wagon and met with an astonishing sale. No longer were clocks the badges of the rich. Every poor man could own one. Many attempts to replace wood by metal or even glass in the clock parts failed because metal was expensive and wood very cheap. Not until 1837 was brass cheap enough to compete with wood. That year a radical improvement was made. Clocks were constructed to run for one day only and not for the customary eight days. The interchangeable parts were made of stamped brass, and the price was six dollars, an astoundingly low figure. Connecticut became the nation's timekeeper. Peddlers carried the new brass clocks into every nook and cranny of the land, becoming nearly as famous for clocks as they had been for tin. It was this wide sale that gave the industry its start. The peddler was the connecting link between a widespread, scattered demand and a bettered means of production.

So in many ways the peddler was the necessary go-between joining producer and consumer. Lack of a better means of transportation and communication helped him to build his trade routes. Peddling started at a time when roads were but poorly kept trails, oftentimes missing altogether. When turnpikes and canals were constructed they afforded the peddler a better means of getting about. His business was increased by extending its range. But when railroads were built the peddler's knell was sounded. The steam engine was quicker, cheaper and more efficient than the horse. People preferred trading with a man of their own community when that man could get goods quickly and cheaply by railroad.

So the peddler fell from grace. He was no longer a welcome visitor bringing news and wondrous trinkets from the world outside. His former trade went to the local tradesman. His cart lost its red paint and his horse no longer looked well kept. The character, too, of the man engaged in peddling changed; the shrewd, bareboned

Yankee was replaced by the bearded Hebrew or the unctious Greek. The jingling tin-cart was seen only in the remote districts far away from the railroads. To-day the trolley cars, rural free delivery and the parcels post are driving the peddler even out of this market. Soon he will be but a picturesque memory.

So although we must admit that the peddler deserved his reputation for being over-sharp in a bargain, we must not let this fact blind us to the real service he has rendered. When other means were lacking he provided a feasible way of getting goods into the hands of the users of the goods. Production without sale is failure. Distribution is the life of trade. Without the peddler as distributor many of New England's industries would have waited a much longer time to be born, and then conditions would have so changed that New England probably would not be their present home. New England ought to honor the peddler for his service rather than despise him for the manner in which the service was rendered.

## BOOK DEPARTMENT

### NOTES

ADAMS, JOHN. *The Evolution of Educational Theory*. Pp. vii, 410. Price, \$2.75. New York: Macmillan Company, 1912.

ATKINSON, W. WALKER. *The Psychology of Salesmanship*. Pp. 246. Price, \$1.00. Holyoke, Mass.: Elizabeth Towne Company, 1912.

This book is among the first to analyze the sale, psychologically and logically, with respect to the parts of a sale. Theories are advanced relating to the qualities necessary for the salesman, himself; an analysis of human traits likely to be found in the several classified buyers; and a description as to the parts of a sale with their related principles; for example, the preapproach, the approach, the demonstration and the close. The chapter entitled *The Psychology of Purchase* is unique and is suggestive of the mental states to be aroused or to be avoided when a salesman is in the actual process of selling. Such subjects as Voluntary Attention, Curiosity, Associated Interest, Decision, etc., are analyzed minutely in connection with suggestion and argumentation as factors in helping to complete a sale. The theory of salesmanship is most thoroughly worked out. The practical application of the principles, however, would have to be formulated apart from the text. The ideal way of using this book would be as a supplement to actual class sales, which a course in practical salesmanship demands.

BLICHFELDT, E. H. *A Mexican Journey*. Pp. viii, 280. Price, \$2.00. New York: Thomas Y. Crowell Company, 1912.

To one who has "been through an experience delightful beyond description," such as is a tour through Mexico, an acquaintance with Mr. Blichfeldt's "*Mexican Journey*" is a rare treat. The author, moreover, has depicted Mexican scenes in such a pleasing and entertaining manner that his book should be particularly good reading to any one who has not been over the ground himself, for it holds the attention and interest of the reader just as that fascinating country absorbs the attention of the visitor. To those who know the country for which "words of description are difficult to find," Mr. Blichfeldt is at once recognized as a fair-minded writer, and his work may be accepted as a wholesome guide. The subject is handled in a masterly way and the work contains just enough of all phases of the past and present conditions of our southerly neighbors and their country to entertain and satisfy the average person.

BOGART, E. L. *Economic History of the United States*. Pp. xv, 597. Price, \$1.75. New York: Longmans, Green & Co., 1912.

Professor Bogart's "*Economic History of the United States*" has met with deserved success. It is well adapted to use with university classes and is a most satisfactory book for the individual student of history or economics. In the second edition the information contained in the first edition, which appeared in 1907, has been brought down to date, and the volume has been appreciably increased

in size. Chapters have been added upon Currency and Labor. This revision of the volume, five years after its first appearance, will continue its use in university classes, the teachers of which will be grateful to Professor Bogart for giving them up-to-date material.

VON BÖHM BAWERK, E. *Kapital und Kapitalzins*. (Vols. 3 and 4.) Pp. viii, 746. Innsbruck, Germany: Verlag der Wagnerschen Universitäts-Buchhandlung, 1912.

The first two books of the third edition of Böhm Bawerk's "Positive Theory of Capital" appeared in 1909. The remainder of the revision has just appeared (1912) and includes two books, one on Value and Price and one on Interest. In the second edition these subjects were all treated in one book under the title, Interest. The treatment is now much enlarged and has been enriched by the addition of several entirely new chapters. There are new chapters in Book I that treat Value in its Relation to Purchasable Goods; Value and Labor-Effort; Psychological Contribution to Value Theory; and a chapter on The Problems of Price Theory.

BONSAL, STEPHEN. *The American Mediterranean*. Pp. xiv, 488. Price, \$3.00. New York: Moffat, Yard & Co., 1912.

Shipping companies, capitalists and men of affairs have had their interests in the West Indies and the Caribbean stimulated by the building of the Panama Canal. To no country, not even to the European nations owning colonies there, is the future of this region so important as to the United States. For this reason Mr. Bonsal will command a wide circle of readers. His chapters are written in an easy style. Their thought seldom attempts more than a surface sketch of conditions, more would in fact be impossible in a single volume. The chief line of argument is this: The Panama Canal will make control of this region by the United States imperative. Many European states will sooner or later have to give up their West Indian colonies because the latter cannot now pay their own expenses and they can be made to do so only by economic absorption into the United States. Some of the islands may be saved by a revival of sugar growing, the introduction of cotton and cocoa and the development of the fruit trade but the latter at least cannot be made profitable without the American market.

The treatment of the different regions is unequal both in space and thoroughness. Central America is not touched upon. The chapter on Mexico is confusing. Four chapters are devoted to Hayti with the usual emphasis on Voodoo, about which no one has written anything new since the accounts of Froude and Spencer St. John. A long account of the Castro regime in Venezuela could well have been cut down or omitted, as well as the chapter on the English expedition of 1740 against Cartagena. The discussion of the present conditions of the Danish, Dutch, French and smaller British West Indies, almost unknown to Americans, is well done. There is a good description of the backwardness of Colombia and of the work being done at Panama.

The student of affairs will not find this a solid book, but the racy style and keen observation of a clever and well traveled newspaper man make the volume interesting and valuable.

BOSANQUET, MRS. BERNARD (Ed.). *Social Conditions in Provincial Towns.* Pp. iii, 82. Price, 40 cents. New York: Macmillan Company, 1912.

Seven different writers have contributed to this volume brief sketches of social conditions in Portsmouth, Worcester, Cambridge, Liverpool, Edinburgh, Oxford and Leeds. Mrs. Bosanquet writes a brief introduction.

BRYAN, WILLIAM JENNINGS. *A Tale of Two Conventions.* Pp. xxviii, 307. Price, \$1.00. New York: Funk, Wagnalls & Co., 1912.

Wide experience in public life makes these letters written by Mr. Bryan as correspondent to three dozen of the leading newspapers an especially interesting picture of our greatest national spectacle, the national convention. Of the two conventions, the republican is treated the more satisfactorily. There Mr. Bryan was an outsider, one able to criticise as were few if any others. His accounts of the skirmishing for position, the opposing leaders and the contest itself are all clever and in the main impartial. In the democratic convention Mr. Bryan was a delegate as well as a reporter. To many he seemed the power which controlled the policy of the party. Under such conditions it can not be expected that the description should lack connection with the outcome toward which the writer worked. The book includes a summary of the events of the progressive national convention and Mr. Bryan's comments on the forces which it combined. The illustrations are typical cartoons of the campaign.

CADBURY, EDWARD. *Experiments in Industrial Organization.* Pp. xxi, 296. Price, \$1.60. New York: Longmans, Green & Co., 1912.

A number of English manufacturers have turned their attention to the problem of providing living accommodations for their employees in proximity to their factories. Among the most notable of such efforts is that at Bournville, conducted by the Cadbury Company. Basing his work primarily on the experiences gained at this plant, and generalizing somewhat from this experience, the author discusses the selection of employees; their education and discipline; the provision of health and safety; the methods of remuneration; and in general, systems of welfare work, with particular emphasis on the social side of the welfare problem. Whatever element of paternalism may be inseparably connected with the building of model communities by socially inclined employers, this book is a valuable contribution to the records of experiments already made in that direction.

CHANNING, EDWARD. *A History of the United States.* Vol. III. Pp. 585, Price, \$2.50. New York: Macmillan Company, 1912.

CHAPMAN, S. J. *Political Economy.* Pp. 225. Price, 50 cents. New York: Henry Holt & Co., 1912.

The author takes his place among the group of writers who have recently attempted to popularize the doctrine of economics by publishing it in compact, readable form. Whatever success the book may achieve will be due to this fact alone since the viewpoint is distinctly orthodox throughout.

COOLRIDGE, MARY ROBERTS. *Why Women are So.* Pp. viii, 371. Price, \$1.50. New York: Henry Holt & Co., 1912.

"Why Women are So" is an earnest attempt to discover how many of the so-



called feminine characteristics attributed to women are hers by innate right, and how many have been acquired through long tradition and social custom. Miss Coolidge has not included in her discussion the exceptional woman; she has endeavored to confine herself to the ordinary orthodox, middle-class women who have so long constituted the domestic type. The volume contains nothing new. It is merely a recapitulation of the modern protest against the labeling of all required feminine characters as innate. Far from being scientific in method, the style is such as to appeal to the lay or casual reader. It would fulfil excellently the place of a primer to one unacquainted with the arguments and features of the modern woman movement.

CRAMER, J. G. (Ed.). *Letters of Ulysses S. Grant*. Pp. vii, 182. Price, \$1.75. New York: G. P. Putnam's Sons, 1912.

Of the sixty-four letters of General Grant, printed in this volume, the first thirty-eight, which were written to his father and youngest sister between 1857 and 1865, give a fairly clear impression of Grant's personality and of his attitude toward the doctrine of secession. The remainder of the collection, nearly all of which were written to his brothers-in-law, relate to unimportant family matters or describe the itinerary of Grant's foreign tour, and are entirely devoid of interest. The collection as a whole should be of interest to persons who are desirous of becoming acquainted with a few details of Grant's everyday life, but it is of little importance historically, shedding no new light on either the issues or the events of the times. Only five of the letters were written between 1863 and 1865, the most important period of Grant's military career, and only nine of them were written while he was President.

DOLE, C. F. *The Burden of Poverty*. Pp. 124. Price, 50 cents. New York: B. W. Huebsch, 1912.

It is seldom that one finds in such brief compass so satisfactory a review of a great section of human life. In happy manner, the author surveys the causes of destitution and the present philosophy thereof. In great social wastes, war, alcoholism, disease, etc., he finds the sources. In some new idealism, not necessarily the present socialism, lies the way out. The volume will attract and interest many readers who have given these subjects little attention and will stimulate thought on the part of those more closely in touch with present conditions.

FETTER, FRANK A. *Source Book in Economics*. Pp. 385. Price, \$1.30. New York: Century Company, 1912.

Like the other so-called source books, this work of Professor Fetter consists primarily of contributed material. Source material, rightly considered, is a matter neither of opinion nor of speculation. To be effective, the source book must contain primarily facts. It stands to Professor Fetter's credit that in this book, more than in any previous one, facts are cited, rather than opinions. The material is still far from "source" in any true sense of that word. The author discusses Markets, Prices, Wealth, Capital, Labor Costs, Profit and Monopoly, Profit Incomes and the State and Industry. The book is probably the most valuable of its kind that has yet appeared.

FILLEBROWN, C. B. *A Single Tax Handbook*. Pp. 180. Price, 20 cents. Boston: The Author, 1912.

A useful compilation of extracts from classical economists and present-day single-taxers explaining briefly the principles upon which the single tax is based.

FINOT, JEAN. (Translated by Mary J. Safford.) *Problems of the Sexes*. Pp. xiv, 408. Price, \$2.00. New York: G. P. Putnam's Sons, 1913.

Jean Finot has added another to the shoal of recent books which have compared the relative capacity of men and women, described woman's dependence in the past, estimated her creative possibilities, and discussed the opportunities open to women in the future. So far as its content is concerned, the book contains nothing new. Conservative, yet distinctly French in his viewpoint, the author presents a view of the woman movement, which is, to say the least, enlightening to the average Anglo-Saxon. His work is prophetic rather than descriptive, and although there is a tendency to underestimate the particular achievement of woman, the grip on the future is none the less sure. He writes (p. 289): "So let us not weep over the death of the traditional woman, but admire the renewal of her beauty, the multiplicity of the aspects of the new woman, the richness and the infinite variety of her bloom. The sincere woman, acting and thinking in behalf of the city, will replace worthily the demon woman or the servant woman, both dedicated to weakness and to falsehood." (P. 395): "The new woman, moving toward the heights which attract her, is the Beatrice awaited for centuries. She will restore at last to the human race the harmony between the sexes so seriously compromised, the peace between the nations so ardently desired, and the happiness so long expected." Even those thoroughly acquainted with the modern feminist literature will do well to devote some attention to this volume.

*The Foundations of Freedom*. Pp. 158. Price, 4d. Middleton, England: John Bagot, Ltd., 1912.

This book consists of a number of short essays, devoted to popularizing the single-tax theory as set forth in Henry George's "Progress and Poverty." It is an able presentation in a form easily understood by the layman.

GARR, MAX. *Die Wirtschaftlichen Grundlagen des Modernen Zeitungswesens*. Pp. 79. Price, m. 2.50. Leipzig: Franz Deuticke, 1912.

GOODRICH, J. K. *Russia, In Europe and Asia*. Pp. x, 203. Price, \$1.50. Chicago: McClurg & Co., 1912.

All authors who write of the life of great nations are tempted to spread their discussions out too thin, a temptation not resisted in this book. There is a great need of books which confine attention to the leading phases of national life, economic, social, religious and political but no single volume can do this, especially if at the same time an attempt is made to treat the history of a country, its foreign policy, its geographical characteristics and its natural resources.

Russia the author has learned to know chiefly in his study, the only first-hand acquaintance being secured apparently on a trip over the trans-Siberian and through the chief towns visited by the tourist in European Russia. Only four chapters deal with present-day life in Russia in Europe. Nine treat national and colonial expansion, and three the geography, flora, fauna and natural resources.

Over four-fifths of the discussion relates to Russia in Asia with its fifteen millions of people, less than one-fifth to Russia in Europe with its one hundred and fifty millions. Even the chapter on the people is avowedly based on "the opportunities for studying a goodly number of widely different types of mankind as one travels by train across Siberia." The chapter on cities and towns considers only St. Petersburg and Moscow in European Russia, the others being the towns in Siberia seen evidently on the same railway journey. For the other information reliance is upon the "Encyclopedia Britannica," and the numerous good works on phases of Russian expansion. There is a fair discussion of educational conditions in Russia in Europe and a good short summary of the government. The chief theses maintained are that Russia does not want India, that Turkey is her main objective and that in the Far East the veiled alliance with Japan forbodes future trouble. The international problems of Russia are not hinted at except in a brief allusion to the treatment of the Jews to which a partial justification is given.

GOODWIN, GRACE D. *Anti-Suffrage*. Pp. 142. Price, 50 cents. New York: Duffield & Co., 1912.

In this little volume the author purports to give ten good reasons for the non-extension of the franchise to women. "The discussion in this book," she says in the introduction, "is concerned with answering the arguments of suffragists who claim," etc. The argument is clear and concise, and forceful enough to sound plausible to one unacquainted with the facts. The chief objection of the writer seems to be to the doubling of the electorate, and to the data obtainable concerning results in suffrage states. She lays considerable weight upon the efficiency of indirect, as opposed to direct, political influence.

HALL, W. P. *British Radicalism, 1791-1797*. Pp. 262. Price, \$2.00. New York: Longmans, Green & Co., 1912.

A suggestive and scholarly survey and appraisal of facts and theories in England during the most stirring years of the French revolutionary period.

HARTLEY, C. G. *Spain Revisited*. Pp. 330. Price, \$2.50. New York: James Pott & Co., 1912.

The book is a rather glowing account of a pleasant holiday which leaves the reader the sort of impression that remains in the mind of an enthusiastic summer tourist.

HEMMEON, J. C. *The History of the British Post Office*. Pp. xi, 261. Price, \$2.00. Cambridge: Harvard University, 1912.

To those interested particularly in the problems growing out of the postal service, either in matters of administration or finance, this volume will contain much that is of value. Carefully prepared and annotated, and with statistical appendices, it affords a mine of historical information that is worthy of serious notice. A review of the postal department, from its humble beginnings to its present monopolistic status is made subdivisionally, the topics of the post as a source of state revenue and as an instrument of taxation being of special interest. In addition, an account is given of the telegraph and telephone systems in their relation to the post office. The author concludes with a modest personal viewpoint of the policy of Great Britain towards this important governmental function. In style, the book is readable while somewhat heavy in tone, but its scholarly attitude is unmistakable, and as a handy reference monograph it will be appreciated.

JORDAN, DAVID STARR. *Unseen Empire*. Pp. 211. Price, \$1.25. Boston: American Unitarian Association, 1912.

The title "Unseen Empire" might with greater propriety have been "Unseen Desolation," since the book deals with the costs of war as they appear in the bankrupt treasuries and depleted resources of nations. In "The Human Harvest," Dr. Jordan showed the effect of war on manhood, here he shows it on finances. Though unoriginal, the book is a contribution to the popular literature making for universal peace.

LEARY, L. G. *Andorra—The Hidden Republic*. Pp. x, 191. Price, \$1.50. New York: McBride, Nast & Co., 1912.

Not only because it is the least populous and one of the smallest of independent states is Andorra interesting, but because it lays claim to being one of the oldest. Mr. Leary devotes about a third of his little book to a description of the country surrounding the republic, especially on the French border. The rest is a charming description of the rugged lands, honest citizenship and simple government of the little state hidden in the Pyrennes, with a rather detailed account of its history. The book is illustrated with excellent photographs taken on the author's trip. Those who are interested in the history of the few remaining "international particles" or in the provincial life of the French-Spanish border will find this book a welcome addition to the little information on the subject available in English.

L'INSTITUT MOBEL NORVÉGIEN. *Catalogue de la Bibliothèque*. Pp. 238. Price, \$2.50. New York: G. P. Putnam's Sons, 1912.

LOWELL, A. LAWRENCE. *The Government of England*. Two vols. Pp. xxv, 1147. Price, \$2.00 each. New York: Macmillan Company, 1912.

"Changes in the British government will therefore take place, but they will come slowly," wrote President Lowell, in the concluding paragraph of his work on the government of England; yet within four short years he has been obliged to add a chapter to explain the important changes wrought by the budget controversy of 1909 and the parliament act of 1911. Aside from this addition, the new edition does not differ materially from the old. It is a matter of regret that President Lowell has not brought down to date the chapters dealing with the national party organizations.

MCCABE, DAVID A. *The Standard Rate in American Trade Unions*. Pp. xii, 252. Price, \$1.25. Baltimore: Johns Hopkins Press, 1912.

A detailed study that affords not only an interesting array of current facts concerning trade unionism, but illuminating glimpses of trade unionist philosophy.

MAHAIM, ERNEST. *Le Droit International Ouvrier*. Pp. viii, 385. Price, 6 fr. Paris: Librairie de la Société du Regueil Sirey, 1913.

MENDE, KATHE. *Munchener jugendliche Ladnerinnen zu Hause und im Beruf*. Pp. cxi, 283. Price, m. 9.50. Berlin: J. G. Cotta, 1912.

MEYER, F. L. *Twentieth Century Manual of Railway Station Service*. Pp. 271. Price, \$1.25. Chicago: Rand, McNally & Co.

The multiplicity of details connected with railway station service creates a constant need for a comprehensive text-book, which this manual should completely

satisfy. The various duties of station agents in caring for the freight, passenger and baggage service are set forth in a succinct manner, and adequate instruction is given as to how each duty is to be performed. Persons having business dealings with railroads will also find the book a useful source of information concerning the services they have a right to demand of station employees as well as to what services they have no right to ask, a clearer understanding of which would often save both the railroads and the public considerable trouble and expense.

NOGARO, B. *Elements d'Economie Politique*. Pp. 388, Price, 6 fr. Paris: M. Girard & E. Brière, 1912.

This is a text-book in condensed form for first and second year students in French schools of jurisprudence. The conventional divisions of economics are preserved, and the material in the present volume covers two of these: production and exchange. The method of presentation is that of first setting forth the functioning of the principal economic institutions, before covering underlying economic elements. These two phases then form a basis for the discussion of problems.

OAKENFULL, J. C. *Brazil in 1911*. Pp. xii, 395. London: Butler and Tanner, 1912.

This handbook on Brazil attempts to cover a wide range of topics—geography, geology, ethnography, history, commerce, natural history, literature, and so on. Not only is the treatment of many of these topics necessarily superficial, but the information is often fragmentary and disconnected, where it is not unwarranted exaggeration. When, in discussing climate (p. 20), the author says, "If we strike a fair balance, we shall find that Brazil is assuredly one of the healthiest countries in the world, and that no other tropical or semi-tropical zone can possibly rival it, even as far as salubrity is concerned," the reader is warranted in concluding that this is another example of "boom literature," a variety all too common among books dealing with South American countries. It may have been an error of the printer that placed the area of Brazil at 5,682,415 square miles (p. 87), instead of 3,270,000 square miles, its true area, but the statement that Brazilian diamonds, on the average, are fifty per cent better than those obtained from South Africa (p. 206) cannot be so regarded. While the book contains much information that is of value, its service is limited because of such errors and exaggerations as these.

OGG, F. A. *Social Progress in Contemporary Europe*. Pp. vii, 384. Price, \$1.50. New York: Macmillan Company, 1912.

No more satisfactory work than this could be found to summarize the past century's developments in Europe—political, economic, social. Beginning with the French uprising of 1789, the author traces "the breaking down of the barriers which once separated classes of men, the abolition of privilege, the extension of political power to the masses, the establishment of equality before the law, the upbuilding of popular education, the freeing of thought and of the press, the liberating of religious opinion, the application of scientific discovery to the problems of human existence, the invention of machinery and the introduction of the use of steam power, the placing of public safeguards about the conditions of labor, the extension and readaptation of philanthropy, the provisions of agencies for



the care of the people's savings, the establishment of systems of insurance against sickness, unemployment, and old age, and a multiplicity of other more or less far-reaching innovations in the interest of the public weal."

This review is carried through concisely and with telling emphasis on significant events and movements. The book should prove equally useful as a textbook and as a source of information for general readers.

PENNELL, JOSEPH. *Pictures of the Panama Canal*. Pp. 126. Price, \$1.25. Philadelphia: J. B. Lippincott Company, 1912.

The Panama Canal works are on such a grand scale that verbal descriptions and photographs can convey but a very inadequate idea of the undertaking. Mr. Joseph Pennell has reproduced in his remarkable series of lithographs the impressions of one trained in the interpretation not only of the usual subjects of art, but of great works of human achievement. The lithographs made by Mr. Pennell have been very artistically and successfully reproduced in an attractive volume. The brief descriptions by him that accompany the sketches add to the value of the book, which will be appreciated not only by lovers of art but also by engineers and other students of the canal.

PIERSON, N. G. *Principles of Economics*, Vol II. Pp. xxiii, 644. Price, \$3.25. New York: Macmillan Company, 1912.

The first volume of the translation of Professor Pierson's classic treatise appeared in 1903. This dealt with Value in Exchange and Money. The present volume deals with Production and the Revenues of the State. Of these, only the part dealing with Production was reviewed in translation by the author before his death. The treatment of Production is liberalistic, both in material and in trend of argument, although this attitude is considerably modified by a recognition of the need of social interference with production at many points. In the author's view a plentiful production of itself conduces to greater equality of distribution and in his judgment the fear of a general glut is groundless. A system of production based on self-interest is eminently successful as a whole, but *laissez faire* has its shortcomings. Philanthropy and the state must often intervene to provide essential non-economic goods. Then, too, self-interest often operates ruthlessly so that it must be curbed and guided by social legislation. This, however, should stop far short of socialism. In Professor Pierson's view, it is impossible to arrive at a verdict in favor of socialism as an alternative to the existing order, even on moral grounds. The bulk of the matter dealing with production is concerned with the population problem, protectionism and land tenure.

Part IV, dealing with the Revenues of the State, affords an excellent summary of facts and principles covering public domains and fees, taxation, its regulation and incidence, and loans.

ROOT, W. T. *The Relations of Pennsylvania with the British Government, 1696-1765*. Pp. iv, 422. Price, \$2.00. New York: D. Appleton & Co., 1912.

The scholarly work by Dr. Root upon the Relations of Pennsylvania with the British Government during the colonial period is the result of some years of labor. The book started as a doctor's thesis but later grew into the present volume. The information is secured from original sources, and the author's point of view

is that of present-day historians, who are at last able to appreciate the policy of Great Britain toward the colonies as fully as the attitude of the colonies toward the mother country. Successive chapters consider the Central Institutions of Colonial Control, the Acts of Trade, the Court of Vice-Admiralty, the Royal Veto, and the Colonial Judicial System. The latter half of the volume is concerned more directly with affairs colonial, the chapter titles being Finance and Politics, the Quaker and Anglican, Imperial Defence, and the French and Indian War. The question of Imperial Centralization is considered at the close of the volume.

Savage, William G. *Milk and Public Health*. Pp. xviii, 459. Price, \$3.25. New York: Macmillan Company, 1912.

The author is County Medical Officer of Health, Somerset, and also assistant in charge of the bacteriological department, University College, London. He divides the volume into three parts: I. The Bacteriology of Milk: Milk and Human Disease; Part II, The Bacteriological Examination of Milk; Part III, Public Health Control of the Milk Supply. The volume is primarily intended for health officials, but the language is not too technical for the interested layman. There are many excellent illustrations. In view of the growing interest in pure food in America this record of English practice and experience will prove of great value.

Sedgwick, G. A. *The Democratic Mistake*. Pp. 217. Price, \$1.00. New York: Charles Scribner's Sons, 1912.

This volume is comprised of the Godkin lectures delivered at Harvard University in 1909. The main thesis of the author is that democracy has made two fundamental mistakes: first, the mistake, based on the philosophy of Bentham and Jefferson, that responsibility in government could be secured adequately through elective machinery, and, second, that democracy and responsibility in government could be secured through a short tenure of office. "Democracy has at least two idols, of which one is the false worship of equality as always an end in itself, and which treats it as an object of government to introduce equality, not merely of right and opportunity, but of condition; the other, the worship of the ballot as a universal means of curing all ills and enforcing responsibility. The inevitable result is the continuous exercise of elective machinery, the multiplication of elections and of offices, and the division and dissipation of responsibility for the better division of patronage and spoils. . . . Continuous suffrage is not a final solution of all the problems in government; to be successful it must be sparingly used, and only by electorates which are fitted for it, and only for questions about which there has been ample time for discussion and deliberation."

The author feels that, since responsibility has broken down through short tenure and frequent elections, it must be restored through their opposites, longer tenure and fewer elections. In order to secure efficiency in government, he recommends the lengthening of legislative service, the encouraging of independent nominations, judicial tenure during good behaviour, municipal government in the hands, not of the "hall" or the "organization," but of a smaller number of fit men, holding office for a long term and acting as supervisors and administrative experts.

One cannot accept the book in any sense as a good critique for all governmental problems. For instance, one could not agree that "the means by which a good administration of justice can be secured, are no longer matters of speculation; they are known; the means by which patronage and the evils of patronage can be eliminated from the public service are known; the way to destroy hereditary privilege and open the road to advancement to merit is known," for civil service is not a sure panacea for all such ills. But the book is an effective criticism of multiplicity of offices, multiplicity of elections, and a short tenure as means of democratic control.

SIMS, N. L. *A Hoosier Village*. Pp. 181. Price, \$1.50. New York: Longmans, Green & Co., 1912.

In this monograph the author presents a brief sketch of the social development of a town of 2,500 inhabitants in the northeastern corner of Indiana. Founded by free thinkers and spiritualists, who are portrayed as loose and immoral, the development into an orthodox law-abiding community, highly emotional and highly satisfied is traced. Having no marked degrees of wealth it is unusually democratic socially and public opinion is all powerful. Intellectual stagnation is apparently the keynote to present conditions. Small wonder the writer does not openly identify the place but the disguise is so thin that anyone at all curious will have little difficulty in identifying it.

Though the picture is not very agreeable, the writer is to be commended for making a definite study of a town whose story is apparently somewhat unique. We greatly need more such concrete studies of various communities.

SMITH, ADOLPHIE. *Monaco and Monte Carlo*. Pp. 477. Price, \$4.50. Philadelphia: J. B. Lippincott Company, 1912.

Exceptional opportunities for obtaining information and ability to impart it in semi-narrative make this book about one of the world's smallest states interesting. Every phase of the history of the five square miles of territory in the principality is covered from its mythology to the construction of the gaming tables and the gossip of famous visitors. The discussion of the scientific work of the Prince of Monaco and the workings of the microscopic government are the best portions of the book except for those whose interest lies in the history and present development of gambling. There are excellent illustrations.

STEVENS, W. S. *Industrial Combinations and Trusts*. Pp. xiv, 593. Price, \$2.00. New York: Macmillan Company, 1913.

The "trusts" have formed the subject of many volumes in the past, and to-day the greater part of these are unread, except by a very few. Since their time events have occurred which have discredited the theories advanced and facts have been disclosed which were previously unavailable. The descriptions we have of our industrial organizations also are usually but prefaces to some theories of the writers. Mr. Stevens has given us a book which outlines the history of "big business" in the United States in the most impartial and most accurate manner—through a presentation of copies of original documents—agreements, court decisions, statutes, dissolution plans, leases, and the testimony of prominent business men and others.

This volume covers the principal stages of development down to the end of 1911, and is edited with the objects of making source material available to the student and of providing the ordinary reader with a description of the historical development of the "trust" movement and its problems. This difficult task has been well performed, and the variety of exhibits, their arrangement and the explanatory head notes introducing the chapters, all give evidence of time and care expended in the production of this volume, which will prove a valuable aid to students of industrial affairs.

STREIGHTOFF, F. H. *The Distribution of Incomes in the United States*. Pp. 170. Price, \$1.50. New York: Longmans, Green & Co., 1912.

Although the author ends his book with the doleful statement that there is "a deplorable dearth of information" regarding the distribution of income in the United States, he nevertheless attempts to draw some conclusions which are in harmony with similar studies made here and abroad. In 1904, for example, he estimates that "at least half of the males aged sixteen or more, engaged in gainful occupations, were earning less than \$626 a year" (p. 152). Further than this, the study warrants no conclusion even where the author has attempted, as in the case of rural families, to estimate family income. The really valuable data regarding incomes are contained in the reports on wages. Other material is at best ill-adapted to the service of the statistician.

Chapter six on The Distribution of Wages is a splendid piece of statistical work; so much cannot be said for chapter seven on Incomes from Property. Despite the author's apology for using such inconsequential data, he shoots far beyond the mark in his attempted conclusions.

By way of practical suggestion, Dr. Streightoff proposes that two questions be added to the census returns. One a question to farm families regarding the rent paid or interest on mortgage; the other a question to non-agricultural households regarding the rent or rental value of the house occupied by the family. The statistical method by which the author would compute incomes from these rent figures is, to say the least, questionable. The statistical work of the book, with a few exceptions, is able. Tables are well constructed, and inferences are just.

SUFFERN AND SON. *Railroad Operating Costs*. Vol. II. Pp. 144. Price, \$2.00. New York: The Authors, 1912.

This volume is an amplification and extension of an initial volume of the same title published in 1911. It presents an analytical study, based chiefly on the railroad's annual report to the Interstate Commerce Commission, of the earnings, physical characteristics, equipment and operating expenses of the representative railroads of the United States. The main items of operating costs, maintenance of way and structures, maintenance of equipment, and transportation expenses are treated each as a whole, and in addition freight car maintenance, passenger car maintenance, locomotive maintenance and fuel costs are considered singly in separate chapters. The addition of these four special chapters and the use of statistics of a much greater number of railroads constitute the chief improvement of this publication over the previous one. The work excels as a compact and comprehensive digest of statistics relating to the operating expenses of the various rail-

roads considered. One of its chief merits lies in the manner in which its authors have shown the futility of attempting to use the statistical material, now furnished by railway companies to the Interstate Commerce Commission, as a basis for conclusions in regard to the comparative operating efficiency of different railway systems.

TARBELL, IDA M. *The Business of Being a Woman*. Pp. ix, 242. Price, \$1.25. New York: Macmillan Company, 1912.

Miss Tarbell in this volume bases her argument on the fundamental proposition that the chief business of a woman is to create a home—not only a physical home with all the machinery which this involves, but an atmosphere offering comfort and inspiration to all the inhabitants thereof. Miss Tarbell points out that every child needs a home, and that it is the business of every woman to provide either her own or someone else's children with this environment. Without minimizing the importance of professional labor for women, the author seeks to have ascribed to domestic labor the dignity which it has undoubtedly lost, and yet which belongs to it just as rightly as to any industrial or professional pursuit. She seeks to ennoble the business of a woman. The book is well written, is short and to the point, and thoroughly worth reading.

TAYLOR, C. K. *The Moral Education of School Children*. Pp. 77. Price, 75 cents. Philadelphia: The Author, 1912.

This little book is a new departure. It is not a theoretical discussion of the subject of Moral Education of Children. To one who loves to peruse a discussion of the training of an imaginary child under impossible conditions, the book will prove a disappointment. The author is a trained psychologist and tells in a plain, straight-forward manner, of the efforts he has made to develop the moral character of some real school children in Philadelphia. Realizing that the church is reluctantly admitting its inability to meet the situation and that the modern home is more or less incapable of solving the problem, the author believes that the public school is forced, by the conditions of modern life, to assume the responsibility of the child's fundamental moral training. He recognizes three forms of moral conduct: political morality, commercial morality and private morality. Mr. Taylor outlines the methods necessary to attain the three forms of morality. For example, he tells of the work of the Thomas Wood School, which selected a few rooms in a representative tenement house in its neighborhood and placed the furnishing and care of these rooms in the hands of the girls of the school. The children were taught by actual experience how to buy food for such a home and how to prepare it. They were also taught how to care for the babies and smaller children. Nearly all the moral problems of the home were made to center around this activity.

While similar efforts have been made elsewhere, the book marks a new epoch in the writing of books on morality. It will prove of great value to educators and parents who are seeking for some practical help in the solution of the question of moral education.

TURBA, GUSTAV. *Die Grundlagen des Pragmatischen Sanktion*. Pp. 484. Price, m. 8. Leipzig: Franz Deuticke, 1912.



WELLS, H. G., AND OTHERS. *Socialism and the Great State*. Pp. vi, 379. Price, \$2.00. New York: Harper & Brothers, 1912.

Aside from the fact that the title "Socialism and the Great State" is merely a cat's paw to draw shekels from the purses of a reluctant public, the book is worth the persual of any one not familiar with modern social thought or of any one interested in the individuals who have contributed to its nearly four hundred pages.

History, The Country Side, Labor, Science, Sanitation, Laws, Democracy, Women, Art, Religion, and Current Events are the topics discussed from an interesting variety of viewpoints by writers, most of whom enjoy a rare command of the English language. Furthermore, most of the essays represent something, since each writer stands more or less definitely for this proposition or for that one. Nevertheless, the book is not a good book because it lacks the fundamental coherence so essential to consecutive reading. It does not even possess the merits of a collection of essays all written from the same viewpoint. As an addition to a contemporary review of progressive thought, the collection of essays would be a striking success; as a book, they are an indifferent failure.

*Who's Who* (English) 1913. Pp. xxx, 2225. Price, \$3.00. New York: Macmillan Company, 1913.

*Who's Who in America*, Vol. VII, 1912-13. Pp. xxiv, 2640. Price, \$5.00. Chicago: A. N. Marquis & Co., 1912.

The most recent edition of this invaluable publication.

WILLIAMS, F. W. *Anson Burlingame and the First Chinese Mission to Foreign Powers*. Pp. x, 370. Price, \$2.00. New York: Chas. Scribner's Sons, 1912.

The purpose of the book is the vindication, to quote the author, "of a career and of an enterprise that were misconstrued by their own generation," and, for that matter, by succeeding generations as well. Professor Williams has ably handled the material bearing upon this unique period of modern Chinese history, and should convince the prejudiced that Burlingame was not a charlatan but an idealist, who, like most prophets, suffered under a cloud and was unjustly maligned. The author begins with an interesting sketch of Burlingame's previous career, then recounts his valuable services as American Minister at Peking and finally traces the inception of the mission and its progress through the United States, England, France, Prussia and Russia. It is clearly established that Burlingame was an honorable, high-minded man, a visionist imbued with great principles which, after the lapse of half a century, have become established through recent history. Unfortunately he was too early for his time, his ideas as to China's relations with the rest of the world being impossible of realization as each had to learn by bitter experience the lessons which have finally resulted in the Chinese Republic of to-day.

The book is well written, interesting throughout, bound and printed in an attractive manner and is prefaced by a portrait of Burlingame. A bibliography and index are added. Especially interesting are the many citations from contemporary letters and speeches, while the appendix, among other material, contains the treaty of 1868, the correspondence of Mr. Seward with Mr. Fish regarding Chinese affairs, and the invaluable "Note on Chinese Matters" by Sir Robert Hart.

## REVIEWS

BOAS, FRANZ. *The Mind of Primitive Man*. Pp. x, 294. Price, \$1.50. New York: Macmillan Company.

The author, the well-known Professor of Anthropology at Columbia University, has done a genuine service by this admirable summary of existing information with reference to human types. Dr. Boas shares the prevailing belief that racial differences are largely superficial. Perhaps he is open to the criticism that he too dogmatically asserts this superficiality instead of pleading ignorance. His positivism will do much however to shatter the belief of the layman that his own type is essentially superior to all others.

The opening chapter is headed *Racial Prejudices* and contains a brief survey of modern civilization and a discussion of brain differences. The second chapter takes up the *Influence of Environment from Human Types* in which we are shown how quickly the body reacts to various forms, exercise and occupation. Attention is called to the changes the author believes he has found among recent immigrants to America. Chapter III discusses the *Influence of Heredity* in interesting fashion leading to the conclusion that "The differences between different types of men are, on the whole, small as compared to the range of variation in each type."

The keynote to Chapter IV, *Mental Traits of Primitive Man*, lies in the statement that "there can be no doubt that in the main the mental characteristics of man are the same all over the world." Standards vary. We evaluate time highly—to primitive man it has little value—hence we easily conclude that the difference is physical, whereas in reality it is social. His standards are different, but he may hold to them quite as tenaciously as we do to our own. Lacking his viewpoint, it is hard for us to do him justice.

As regards race, language and culture we need not assume "that there has been at any time a close correlation between these three phenomena." If this be true, it is evident that most of the older schemes of classification of men are mistaken. Certain traits seem to be universal and may date back to the origin of mankind. On the other hand, customs spread with great rapidity—the culture of tobacco, cassava, corn for instance. Race contacts must be known if the culture is to be explained. In all this has there been an evolution? If so it is not always from the simple to the complex. Witness music and language. Various groups of the same races are on widely different culture levels.

Civilized man and primitive man have very different concepts. "What seem to us conditions of an object—like health and sickness—are considered by him as independent realities." Our own explanations seldom go to bottom of the matter. The tradition of primitive man is founded on crude experience,—ours is increasingly based on experiment. Hence our categories differ and our types of explanation vary. This whole chapter, *Some Traits of Primitive Culture*, is most suggestive.

The last chapter deals with *Race Problems in the United States*. The author believes "that the concern that is felt by many in regard to the continuance of

racial purity of our nation is to a great extent imaginary . . . " "No evidence is available that would allow us to expect a lower status of the developing new types of America."

It would be well if every person now engaged in discussion of American problems would read and consider the valuable arguments here presented.

CARL KELSEY.

*University of Pennsylvania.*

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BROCKWAY, Z. R. *Fifty Years of Prison Service.* Pp. xiii, 437. Price, \$2.00. New York: Charities Publication Committee, 1912.

This volume is a remarkable autobiographical story of a remarkable career. It is told in the straight-forward and convincing manner of a man who is conscious of a great mission; often misunderstood, sometimes maligned, but always conscious of great responsibility, and firm in the conviction that the cause to which he has conscientiously devoted his life will ultimately triumph.

To those who have observed Mr. Brockway's career and who have been thoughtful students of the revolutionary reforms in prison treatment which he instituted it is particularly interesting to peruse his narrative of the experiences which gave rise to his point of view.

He has sought in Part I to describe his own evolution. Incidents connected with his services in Westerfield Prison, Connecticut, Albany Penitentiary and Almshouse, Rochester Penitentiary and the Detroit House of Correction and Federal Prison, are related with a view, not only of describing the character of these institutions, but of revealing his own mental and religious development. His advocacy of the indeterminate sentence and the reform program are the outgrowth of his experiences. Part II is devoted to a description and explanation of Elmira Reformatory. Here he was able in twenty-five years to make practical demonstration of his theories which convinced the world of their practical utility. Out of experiences in dealing with federal prisoners in Detroit he arrived at the following conclusions: "That exercise of governing authority for the purpose of its own vindication is of doubtful use and very often harmful; that the assumption of individual moral accountability based on the doctrine of free volition is not always a justifiable assumption, but is often a fallacious view; and that for a reasoning intelligence, that which is reasonable may influence conduct more for moral rectitude than that which transcends the human reason, dwelling alone in the imagination" (p. 94). On the contrary, the formative value of good habits duly confirmed by the ennobling influence of established individual industrial efficiency far outweighs the value of retributive requital, moral maxims, personal persuasion or emotional evangelism. This principle he wrought into the Elmira plan and succeeded.

For those who will criticise the injection of the story of persecution and misrepresentation into the narrative, the sufficient answer will be that the book is an autobiography and not a mere treatment of the theory and practice of prison reform.

J. P. LICHTENBERGER.

*University of Pennsylvania.*

BRUÈRE, HENRY. *The New City Government*. Pp. xxii, 438. Price, \$1.50. New York: D. Appleton & Co., 1912.

This book supplements admirably the series of works on commission government that have appeared recently. It is the first attempt to apply the accepted standards of administrative efficiency to the commission system. One of the greatest difficulties with which municipal reformers have had to deal has been the deep-rooted belief of the American people that administrative efficiency can be secured through mere changes in governmental organization. The most unfortunate effect of this belief has been that every change in the form of city government has been followed by widespread disappointment because of the failure to secure the expected results. It seems a matter of very great difficulty to convince the American people that good government cannot be secured by a mere revision of city charters. As Mr. Bruère aptly says: "Modern progressive standards of municipal efficiency cannot be attained merely by the processes supplied by the commission plan. They demand a new social sense to animate the work of officials and to guide the purposes of citizens who control them; they require a new technique of service to augment returns obtainable from public expenditure. In attaining these standards commission government has at present an advantage over those cities which still suffer from political control. But this advantage will be lost unless the new government immediately avails itself of its special opportunity to make city government a progressive and efficient instrument for promoting community welfare."

The work contains the results of a survey of ten commission cities. This survey was intended to provide a fact basis for judgment regarding the general character of commission government administration. The investigation was conducted with great thoroughness and the results show that while the commission system has certain very definite advantages over the other forms of municipal government prevailing in the United States, because of the greater concentration and more definite determination of responsibility, the administration of the commission governed cities has been successful in proportion as they have applied the most advanced standards of administrative efficiency to the conduct of municipal departments.

Mr. Bruère's book when read in connection with Bradford's book on Commission Government and the special volumes on Commission Government issued by the National Municipal League, and by the American Academy of Political and Social Science gives to students of municipal government as well as to administrators ample basis for a judgment on the desirability of extending the commission system.

L. S. ROWE.

*University of Pennsylvania.*

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BRUÈRE, MARTHA B., and ROBERT W. *Increasing Home Efficiency*. Pp. 318. Price, \$1.50. New York: Macmillan Company, 1912.

This is a book for all educators, clergymen, social workers and business men. It is primarily addressed to the middle class. Beginning with the first chapter, the problem of a much-needed adjustment to new conditions is clearly brought

out. The authors devote chapters to What is a Home For? The Basis of Efficiency, Chance versus the Budget, First Aid to the Budget-Maker, Home Administration, The Home and the Market, Training the Consumer, Launching the Child, Savings and Efficiency. Some of the material in these chapters has been published in the various periodicals from time to time. The brilliancy of the authors' style and the sane social point of view set forth, should go towards popularizing budget making by families of the middle class.

From an analysis of seventy-six family budgets and other available data, the authors come to the conclusion that \$1,200 is the financial minimum for social efficiency for an American family consisting of father, mother, and three children under working age (p. 29). "No budget will make an income of less than \$1,000 enough for bare health and decency; it cannot spend one dollar twice" (p. 77).

In the chapter on the Cost of Children, the authors point out that an analysis of many budgets shows that costs "increase from \$100 for a child between three and five, to \$128 when the child is seven years old, \$180 when it is between ten and twelve, and \$212 when it is between fourteen and sixteen. They are based on the uncertain costs of middle-class standards, on the varying demands for health, and education, and a start in life" (p. 211).

The authors are constantly calling attention to the fact that brains and muscle as well as money outlay must be considered when one is discussing costs. The crux of the problem is significantly expressed when the authors state that "the most serious unanswered question in the development of home efficiency is—not whether people can afford to have children, but whether society can afford to have those people who are intelligent enough to count the cost, go without them" (p. 235).

The study is summed up thus: "So long as women do not do the work set for them to do, and men make business a gamble and a sport, our homes cannot be efficient. Business is woman's affair as much as man's. The home is man's affair as much as woman's. What we need to-day is the domestication of business and the socialization of the home" (p. 292).

The value of the book could have been greatly enhanced for the serious student of family budgets by a preface describing the methods employed in gathering and checking up the budgets. Furthermore, the appendix which contains an excellent tabulated summary of the seventy-six family budgets should also contain typical questionnaires sent out or used personally by the authors.

WILLIAM J. H. COTTON.

*University of Pennsylvania.*

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*The Catholic Encyclopedia.* Vols. XIII (pp. xv, 800) and XIV (pp. xv, 800). Price, \$6.00 each. New York: Robert Appleton Company, 1912.

A large number of articles of general interest find a place in these two volumes which discuss topics included alphabetically between Revelation and Simon. While it happens that those of a purely historical character are not numerous, several that come under this heading will repay serious consideration as giving the Church's interpretation of famous events. Such are M. Goyau's summing up of the French Revolution and Burton's English Revolution of 1688; St. Bar-



tholomew's Day; Savonarola and his reform agitation; the formation and history of the States of the Church and their final occupation by Italy; a sketch of the various Schisms in the Church, some twenty-three in number, with separate articles on the separation of the Eastern and Western Churches and on the Great Schism in the West in the fourteenth century. The thirty pages devoted to an account of the Society of Jesus is most acceptable, giving as it does the constitution and regulations of the Society, a sketch of each of its generals, a history of the Jesuits in each country where they have been established, a list of all their periodicals and the statistics of the Society for 1912. A section is devoted to examining and answering the various objections that have been raised to the Jesuits and a separate article discusses the Spiritual Exercises of St. Ignatius. The explanation of the reasons for the suppression of the society seems hardly adequate in that it scarcely does justice to the political considerations that lay back of the demand.

In Vol. XIII the word "Rome" gives rise to a number of interesting articles—Roman Colleges, Roman Congregations (that of the Propaganda being merely mentioned, as it was discussed separately in a previous volume), Roman Curia outside the regular Congregations, Roman Rite, and the topography, general history and present condition of the city itself together with its churches and monuments. Of the various races which find a place in these two volumes the Slavs offer most material of interest. After discussing the ethnic problems involved, a classification of the various Slavic peoples is given and the present condition is discussed of the Russians, Poles, Sorbs, Bohemians, Slovaks, Croats, Serbs and others scattered in various countries, and valuable information is given as to the Slavs in America—the numbers and distribution of the various branches of the race, their religious organization, economic condition, etc.

Among articles of a general character are especially to be noted Slavery, by Paul Allard, giving the Church's attitude to this institution in ancient and modern times; Schools, a general history of Catholic schools, with the policy and attitude of the church and the state regarding education, especially in the British Empire and the United States; Secret Societies, a sort of supplement to the earlier article on Free Masonry; Socialism, a general history of the movement in different countries with a criticism of its underlying spirit from a Catholic point of view showing its incompatibility with the theories of the church. This is followed by an excellent bibliography of both Catholic and socialistic writers on the history and doctrines of socialism. The attitude of the Catholic Church toward the state and toward modern thought is interestingly set forth in the articles on State and Church, Toleration, Science and the Church. In these it would appear that there has been no essential change from the medieval attitude except in so far as this has been necessitated by the changed conditions under which the church is obliged to carry on its work.

The biographical articles continue, as in earlier volumes, to be a feature of the encyclopædia. The number of sketches for which a place has been found is astonishing and the work is a storehouse of information about Catholics of all countries and times. The amount of space allotted to the various biographies is not, however, always in proportion to the importance of the subjects; as when

Chief Justice Taney is given more space than Talleyrand or Görres is allotted three columns while Tillemont is assigned scarcely more than half a column.

A. C. HOWLAND.

*University of Pennsylvania.*

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COMAN, KATHARINE. *Economic Beginnings of the Far West*. Vols. I and II. Pp. xxviii, 868. Price, \$2.00 each. New York: Macmillan Company, 1912.

These volumes are the product of several years of investigation and research during which the author traversed much of the trans-Mississippi West and had access to the more important historical collections of that region. As a result of this travel and study we have here gathered together a great amount of data on the "Economic Beginnings of the Far West." The first volume is devoted to "Explorers and Colonizers," although it includes only a portion of the American colonization. In part I, The Spanish Occupation (1542-1846), the author, after introducing the well-known route to the Orient and telling of the Spanish search for the seven cities of Cibola, proceeds to consider the colonization of Louisiana, Texas, New Mexico and California. Of the twenty-two pages devoted to Texas, one-half are given over to "the coming of the Americans," but this only to the beginnings of the "coming," for the American colonization of Texas comprises chapter IV of part III. Seventy-one pages describe the Spanish Occupation of California (1769-1840). Part II traces the Russian, English and Spanish explorations on the Northwest Coast and takes up on the western bank of the Mississippi the French, English and American search for the western sea. The remaining pages of this volume are given over to a résumé of the rise and decline of the fur trade, and these eighty-six pages justify the title of this ambitious work. In volume two the advance of the settlers into Missouri, Iowa, and Texas is discussed as a preliminary to the transcontinental migration which results in the acquisition of Oregon and the conquest of California. Dropping for a time the consideration of these movements achieved by the "desire to better material conditions," Miss Coman presents an excellent chapter on the Mormon migration. The economic beginnings of these pilgrims are brought with particular clearness before our eyes. As in the portion devoted to the Spanish occupation the most thorough discussion of this volume is of California. Forty-two pages are then given over to what is termed "Free Land and Free Labor" in which we are plunged rather abruptly into a discussion of slavery as an economic factor and which includes a rapid summary of the political developments in reference to the settlement of the territories. The volume concludes with brief reference to the Pacific Railway and the Homestead Act.

The reader is impressed with the variety of material drawn upon, but in lieu of footnotes he finds that the numeral at the end of quotation or extract refers to a note amid a mass of notes placed between the pages of the text and the bibliography. These numerals run as high as sixty-nine in chapter three of the second volume and when one finds no chapter references at page headings and of necessity must turn forward to discover chapter number (being careful also to note the part) before he may turn back to read the more extended extract or to discover the authority, he is tempted to believe that the notes were not intended

for use. There are thirty-one pages of these notes, in close print, and it is a pity that this valuable part of the work should be so inaccessible.

There is an extensive bibliography which impresses one with the wealth of material at hand to write the history of the trans-Mississippi region. The omission of the publications of the Texas Historical Association is marked. On page 350 of volume two the reference to Pierce should be, of course, to Buchanan; on page 246, the date of the Bear Flag raising 1846 instead of June 15, 1848.

Miss Coman has done a real service in compiling this information of the trans-Mississippi West and in placing it in such a readable shape. The work should have a wide appeal. The style is simple, the narrative easy-flowing, and the most involved of the topics are developed with the skill of an unusual teacher. In spite of the rather extended consideration of diplomatic and political developments the author disclaims any intention of deciding the merits of the struggles, preferring "to suggest the underlying economic conditions that determined the outcome of war and treaty and race competition." We have here an extended compilation of what the men who explored and colonized thought of the country and of their work. Pages of extract from journal, diary, letter and report are evidence of this. For an exhaustive treatment and a satisfactory interpretation of the various parts of this extensive field we must turn as before to the work of the scholars who are searching each for his own section. This does not in any sense detract from the value of these volumes in fulfilling the purpose for which they were apparently intended. The work is profusely illustrated.

EDGAR E. ROBINSON.

Leland Stanford Junior University.

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D'OLLONE, V. *In Forbidden China*. Pp. 318. Price, \$3.50. Boston: Small, Maynard & Co., 1912. Koo, VI K. W. *The Status of Aliens in China*. Pp. 359. Price, \$2.50. New York: Longmans, Green & Co., 1912.

Few books of travel and exploration reach the standard here maintained. The D'Ollone mission in the years 1906-09 visited some of the still unexplored regions of China, Tibet, and Turkestan.

Only a portion of the itinerary is described in detail. The experiences in the country of the Lolos tribes still independent of Chinese authority in the region north of Tonkin and south of Tibet, and in crossing unexplored territory in the latter country, occupy all except a few chapters on Szuechen, the great central province of China, and recounting briefly the return of the head of the mission eastward toward the coast. Though traveling through territories uniformly reported as hostile, with one exception the mission at no time came to blows with the inhabitants. Diplomacy proved mightier than the sword. The descriptions of tropic forests, rivers which disappear into the earth to emerge again at great distances, rugged mountains, almost impenetrable jungles and marshes, tribal wars, the life of the nomad tribes, native religions, architecture, sculpture, arts and crafts, social customs, and religious sects are all done in a way which holds the reader's interest. Large numbers of people are shown to be living in true feudal conditions in interior China, many of the tribes are distinctly non-Chinese, and the connections of many, the evidence seems to show, must have been with

the west not with the east. Of course for the scientific conclusions the reader must wait until the deciphering of the rubbings of inscriptions, the translations of the native manuscripts and the comparison of other data secured, have made possible the publication of the complete report.

Mr. Koo's monograph gives the most extended account which has yet appeared on the position of aliens in China. Most of his material is drawn from publications in English including the Foreign Relations of the United States, the British and Foreign State Papers, and the numerous secondary works on China. Dependence on the latter is especially pronounced in the first section, though some of the most important, such as Hinckley's "American Consular Jurisdiction in the Orient," and the voluminous material on early European Relations with China contained in Blair and Robertson's volumes on "The Philippines" are not used.

The second part of the work dealing with the period since 1842 is much the more valuable. Naturally the chief thesis concerns the origin of extra-territorial rights. Mr. Koo shows in detail the reasons for holding that the idea of law as an attribute of persons was never accepted by China, that territorial sovereignty was always the basis of her law and that the few early and many later exceptions to the rule are explained by the peculiar circumstances of compulsion followed by the development of custom, both in contradiction of the will of the government. Next the extent to which extra-territorial rights have arisen by treaty grant is reviewed, and the degree of protection granted. The desire of foreign governments to extend the privileges is criticised. The chapters on the position of the alien merchant in interior China and on the rights of missionaries deal with material not previously used in English discussions.

There is no bibliography and the index is inadequate.

CHESTER LLOYD JONES.

*University of Wisconsin.*

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DROEGE, JOHN A. *Freight Terminals and Trains.* Pp. vii, 465. Price, \$5.00. New York: McGraw-Hill Book Company, 1912.

Few industries can compare with the American railway freight service in multiplicity of detail, complexity of organization, diversity of kinds of labor employed, extent and variety of physical equipment used, or volume of business annually transacted. Mr. Droege's long and successful career in positions where he has been compelled to grapple with every variety of the innumerable problems of the railroad operating official, renders him eminently qualified to deal with the subject of the freight service in an intelligent and comprehensive manner, and from his large fund of information secured in years of experience, observation and study he has drawn the material for this extremely valuable and interesting work.

The construction, maintenance and operation of the freight yard, which is the most essential factor in the expeditious and economical movement of traffic, the details of freight house building, arrangements and equipment, the work of the freight house force, and the work of the mechanical department in its important function of caring for the motive power at the engine terminals, are the subjects with which Mr. Droege deals most thoroughly and effectively. Special chapters

are devoted to such important topics as time freight service, team delivery yards, loading cars, making up trains, weighing freight, refrigerating, ventilating and heating; three especially good chapters describe the special terminal facilities employed in the handling of coal, ore, lumber and grain; and one chapter (written by Professor Cunningham of Harvard University) gives a brief account of the British freight service. That Mr. Droege appreciates the weight of the personal equation as a factor in railroad work is proved by the interesting chapters on the yardmaster, on the engine-house foreman, and on management and discipline in general. The only part of the freight service which is not described is the despatching of trains and the control of their movements between terminals. A chapter on this important phase of operation would have been a valuable addition to the volume.

A discussion of construction, maintenance and operating costs occupies a prominent place in every chapter dealing with the physical equipment, and the numerous comparisons of the efficiency and economies of various types of methods and devices employed in handling freight traffic should prove of great use to railway officials, whom the stress of competition and the pressure of public sentiment in favor of reduced rates compel to be constantly on the watch for any and every available means of cutting operating expenses.

Though the volume is intended primarily for persons engaged in railroad service, it should be of great value to students of transportation, and it contains much of interest to the general reader. The organization of the book is not as good as it might be, a few of the chapters being manifestly out of their logical position. The two dealing with loading-cars and team-delivery tracks belong most naturally in the group treating of freight-house construction and operation, and we can see little reason for sandwiching the chapter on the British freight service between those on American freight houses and transfer stations.

T. W. VAN METRE.

*University of Pennsylvania.*

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DUNLOP, J., and DENMAN, R. D. *English Apprenticeship and Child Labor—A History.* Pp. 390. Price, \$3.00. New York: Macmillan Company, 1912.

As the need of industrial training has been shown, it has been realized that careful study of the old apprenticeship system was necessary. Under changed economic conditions we are attempting to develop methods by which we may give to the coming generation the valuable training that was a definite part of apprenticeship. The authors of this book, by careful and thorough study of Gild and town records, manuscript indentures, and parliamentary acts have shown us much. "In Mediæval England children were employed as freely and at as early an age as ever they have been under the factory system" (p. 15). The apprenticeship system, although there may have been much to criticise in the treatment of the child, provided education for his trade and for citizenship. It provided adequate supervision while he was learning and definite occupation when the training was finished. His choice of occupation was carefully considered and he seldom failed to finish his trade education. The problem of early employment and of long hours was not changed by the factory system, it was definitely centralized and thrown



into publicity (p. 304). The Gilds, although long supported by governmental authority, were destined to fall because of the pressure of capitalistic production and because of their abuse of power.

The question to-day is, "How may the training of the old apprenticeship system be introduced into present-day industry?" The answer suggested is, "by the raising of the school age, the creation of compulsory continuation classes, and the further regulation of employment out of school hours . . ." (p. 350). This volume, which is the most valuable recent publication on the subject, will undoubtedly greatly help in the reform of the conditions surrounding child labor.

ALEXANDER FLEISHER.

Philadelphia.

FISHER, IRVING. *Elementary Principles of Economics*. Pp. xxviii, 531. Price, \$2.00. New York: Macmillan Company, 1912.

A remarkable volume in several respects, its chief characteristic being the novel policy and method in subdividing the field of study. In his preface, the author makes clear his attitude anent the pedagogical ideal as far as economic study is concerned, and though he may not convince all, he undoubtedly clarifies many disputed points by his lucid and trenchant arguments. His point—as to the use of business terms and familiar phrases—is singularly well taken. On the other hand, though his thesis that diagrammatic interpretation *per se* is logical (because familiar) carries conviction, his own choice of diagrams is not above question. Again, the omission of problem solutions seems open to some doubt, since the science of economics is essentially a dynamic one that is enriched and clarified by the pronouncements of its apostles. Using the author's own viewpoint that an elementary text-book should "concern itself with economic principles, not their applications"—it seems only reasonable to follow condition with readjustment.

The familiar topics of production, exchange, distribution and consumption are not treated as such but woven skilfully into the fabric of his own original mosaic of economic thought. The logical and historical methods are thrown overboard in favor of the pedagogical, a method that leads "from familiar to unfamiliar." Its object is to economically rationalize the ideas already in the mind of the student and to successfully combat the misconceptions in regard to every-day economic processes. Thus, the entire field is viewed from the angle of money and price concepts. The social studies on such subjects as child labor, industrial organization and monopolies, usually found under separate headings, are omitted and their existence is noted in connection with financial matters. Of special note, are his chapters on Property, Capitalizing Income, Impatience for Income the Basis of Interest, and Wealth and Welfare. In each of these, the psychologico-philosophical attitude of interpretation is particularly marked, the discussion of impatience as the basis of interest being noteworthy. His treatment of income from capital and income from labor is ingenious but not satisfying, the absence of any well-defined concept of distribution and consumption marring the general impression. Finally, his résumé of the relation of wealth to welfare seems vague, since only general conclusions are reached, and these in a manner not calculated to bring universal conviction. A curious turn is given to this subject

by the introduction of the psychological effect of vanity, a good instance of the trend of thought throughout.

Looking at the text-book as a whole, it seems to suffer largely from its omissions of starting-points commonly accepted as being vital. It is difficult to get the social point of view of the whole economic field, and as a groundwork of dynamic economic theory, the volume would have to be correlated with reference reading of large scope. On the contrary, it has exceptional merit in its treatment of income, prices and theories of money, and as a whole represents a scholarly attempt to break down the common tradition of distrust against economic study.

C. LINN SEILER.

*Philadelphia.*

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FISHER, IRVING, *et al.* *How to Invest When Prices are Rising.* Pp. 144. Price, \$1.00. Scranton: G. Lynn Summer & Co., 1912.

The sub-title of this volume is "A Scientific Method of Providing for the Increasing Cost of Living." It is a collection of papers by seven financial experts who are exponents of the quantity theory of money and believe that the investor of to-day should avoid long-term bonds and instead purchase stocks. The present rise in prices is due primarily to the increased world output of gold and will probably continue for some years longer. Bonds yield a fixed annual return and as prices rise the bondholder receives through interest payments and at maturity in the return of his principal a greatly reduced purchasing power. Unless the bonds mature in a short time and reinvestment on better terms is possible, bonds should be avoided.

The stockholder, however, is a part owner of the corporation and as such shares in its earnings which tend to increase each year as prices rise. If the stocks are carefully chosen they are thus a better security as prices rise, while bonds are better when prices are falling. But the purchase of stocks introduces an element of risk, and the investor should insist on bonds with a stock bonus, the bonds guarding him against the loss of his nominal principal and interest, while the stock makes it possible for him to share in the company's earnings and so protects him as prices rise. The same result may be secured by the purchase of bonds convertible into stock.

This argument is clearly presented and is supported by carefully gathered statistics on all points of importance. Only one or two matters call for special comment. In this, as in most of the current discussions of the relation of increased gold production to rising prices, too little space is given to the part played by the development of credit. Also more consideration should be granted to the possibility of an increase in production from the application of scientific methods in business and in agriculture. Perhaps any development in this direction will be more than offset by other influences, but there has not yet been a sufficiently careful analysis of it. It is entirely probable that development of these two points would not alter the conclusion that prices will continue to rise and that the increased output of gold is one of the leading causes. Nor would it change the main contention of the book that in a period of rising prices the bondholder suffers a depreciation in his investment.

It would certainly be difficult to refute the conclusions presented. Yet one can not but wonder as to the effect of the argument on the average investor who seldom investigates the company whose securities he buys and one of whose chief safeguards is his prejudice in favor of bonds and against stocks. Only too many speculative enterprises are now offering their bonds with a stock bonus and as yet most of the gilt-edged bonds may be marketed without the addition of this inducement. On the whole, however, the book is a valuable and welcome addition to the list of works that treat in a careful manner the principles to be followed in practical business.

E. M. PATTERSON.

*University of Pennsylvania.*

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*Flood Commission, Pittsburgh, Report of the, 1911. Pp. 705, 117 maps and diagrams. Price, \$10.00. Pittsburgh, Pa.: Flood Commission, 1912.*

The City of Pittsburgh, visited during the past decade by twenty-two destructive floods involving a direct loss of over \$12,000,000, has now seriously directed its attention to the subject of flood control and prevention. The report of its Flood Commission, recently made public, is the most complete and comprehensive discussion of the subject of river control that has been made in the United States, if not, indeed, in any country. The large volume containing the report represents an expenditure by the Commission of \$124,000 in investigations and surveys. Not only has the Pittsburgh district been thoroughly surveyed and mapped, but members of the Commission and their engineers have visited many European countries to examine foreign methods of river regulation and control.

The report itself occupies about one-half of the volume. Its twelve chapters deal with such topics as the Allegheny and Monongahela Drainage Basins; Floods and Flood Damage at Pittsburgh and along the rivers; Methods of Flood Relief; Flood Protection; Storage Reservoirs; Relation of Storage Reservoirs to Navigation, Sanitation, Water Supply, and Water Power. The Commission recommends as a means of preventing further flood damage at Pittsburgh a combination of Flood Protection and Flood Prevention—namely, the construction of seventeen large storage reservoirs at the headwaters of the rivers, and the building of low walls along the low lying portions of the water front at Pittsburgh. The former will care for all but the very highest floods, while the latter will be much cheaper than the building of additional storage reservoirs that would completely hold the flood waters, and will at the same time protect the city from the highest floods and improve the appearance and usefulness of the waterfront. The total net cost is estimated at about \$20,000,000.

The various appendices, which take up the second half of the volume, discuss Forest Conditions in the Allegheny and Monongahela Basins, Stream Flow, Methods of Flood Relief in Foreign Countries and give a complete bibliography of flood literature. The volume is profusely illustrated with photographs, maps and diagrams. The report is the most valuable source of information available for problems connected with the conservation of streams.

G. B. ROORBACH.

*University of Pennsylvania.*

HERSHEY, AMOS S. *The Essentials of International Public Law*. Pp. xlviii, 558. Price, \$3.00. New York: Macmillan Company, 1912.

The question why, in view of the existence of excellent new manuals on the essentials of international law, this book also should have been published may well arise in the mind of reviewer and reader. Its author does not raise or answer this question, but in his short preface may be found an implied *raison d'être*; namely, that it is designed to fulfil the needs of both student and teacher, both specialist and general public; also, that it is based upon modern or contemporary, as distinguished from the older, sources and authorities, and upon monographs and periodical contributions to the science, as well as upon more elaborate or general treatises.

More than half of the fifty-eight introductory pages are devoted to a list—without bibliographical comment—of treatises, monographs, and periodical literature, ranging from "American State Papers, in 38 v." to "T. E. Holland's Letters to the *Times*," including references to English, French and German publications, with a few in Latin, Italian and Spanish; citing authors as far apart as *Manu* and *Carnegie*; and comprising titles in politics, ethics, sociology and history. Why so many and so dissimilar references to general history are given in this list does not appear, unless it be for the reason that the author's own historical knowledge is based upon precisely these treatises. "Breasted's Ancient Records of Egypt in 5 v.," "E. A. Budge's History of Egypt, in 8 v.," Herodotus, Aristotle, Polybius, Diodorus Siculus, Strabo, Thucydides and Xenophon are in strange company with some secondary compilations on mediæval or modern history, and can be of no more service to the student of the essentials of international law than are "Macaulay's History of England, in 5 v.," "Milman's History of Latin Christianity, in 8 v.," or "Petrie's History of Egypt, in 6 v.," which are also cited. It is doubtful, also, if the mere listing of *Atlantic Monthly*, *Green Bag*, *London Times*, and nine other periodicals, serves any useful purpose; while there is no doubt whatever that a carefully selected and well classified list of "authorities," with brief and illuminating characterizations of each, would be of far more service to the student of essentials. This defect is partially remedied by a brief "bibliography" which follows each chapter, and which appears in the footnotes.

The "Table of Cases," filling seven of the introductory pages and including the names of nearly three hundred cases, gives one or two useful references for each case, and—what is by no means always done in such tables, but is very desirable—cites the page in the text on which each case is briefly discussed. To find this murmur in the index become at least mild thunder in the text is reassuring.

Turning to the body of the work itself, we find the sense of proportion well observed, about ten per cent of the space being devoted to the law of neutrality, twenty per cent to the law of war, twenty per cent to the definitions, sources and history of the science, and fifty per cent to the law of peace. This distribution of space is in marked and favorable contrast with that of Professor Lawrence's "Principles," for example, which devotes nearly as much space to the law of war as to the law of peace. On the other hand, the author's treatment of the law of neutrality may well be criticised as rather inadequate, being in quantity alone

only forty per cent of Professor Lawrence's treatment of that subject, and sixty per cent of Wilson and Tucker's. In point of length, Professor Hershey's book is perhaps a golden mean between the two manuals just mentioned, being twenty per cent longer than the latter, and ten per cent shorter than the former. The footnotes which enrich every page of the text might be regarded at first sight as a burden and obstacle to the student; but they are defended by the author on the ground that they "furnish bibliographical and other data for a more extended study, and provide an additional text for a longer course than is commonly given."

The prime excellence of this text-book is its concreteness: it avoids the realm of the abstract and the metaphysical, and constantly illustrates and reinforces its statements of rules and definitions by reference to actual incidents which have occurred in the intercourse of nations and which have received, for the most part, adjudication at the hands of courts of law. The fruitful work of the conferences at The Hague has been well utilized and emphasized, although the truly revolutionary character of that work has not been entirely appreciated by the author, whose training naturally leads to some prejudice in favor of the "old-time" methods and discussions which antedated 1899. Illustrations of the law of war and of neutrality, afforded by recent wars, and especially by the Russo-Japanese war, are used to good purpose by the author, who has published a very creditable treatise on "The International Law and Diplomacy of the Russo-Japanese War."

Teachers at least will warmly welcome this new text-book; for it represents one more experiment which may be tried with much promise of success upon the callow youth of our American colleges and universities, whose minds need supremely at this crisis in the world's progress to be cudgelled into an understanding and appreciation of the present duties of the new internationalism and of its potential development with which the master-minds of the nations are travailing.

WM. I. HULL.

*Swarthmore College.*

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INNES, ARTHUR D. *England's Industrial Development.* Pp. xvi, 374. Price, \$1.60. New York: Macmillan Company, 1912.

"It has been my aim in this work," says Mr. Innes, "to interest the ordinary reader in a subject which is commonly regarded as a dreary one." In the accomplishment of this difficult task, Mr. Innes has achieved an unusual degree of success. His "ordinary reader," however, is a somewhat different person from the reader to whom similar books are addressed in this country. A maturity of mind and an acquaintance with history are assumed which writers in this country seldom expect of their readers. Their books are professedly prepared for use in class, and the atmosphere of the class room dominates the "text." Mr. Innes writes for an educated person who does not happen to be particularly well read in industrial history, or for the student who is familiar with the critical literature but desires to review the subject comprehensively to be sure of his general perspective.



The narrative is divided into three general periods: the Middle Ages, the Mercantile Period, and the Industrial Era. Events are treated with a fine sense of proportion, and the character and movement of each period are described in well chosen phrases that will be suggestive to any reader. None of the difficult historical problems is evaded, not even the problems of the growth of the manor and the history of villeinage. Mr. Innes displays a thorough knowledge of the critical literature and states the essential features of these problems with refreshing clarity. The Mercantile Period, from the accession of Henry VII, to the middle of the eighteenth century, is well handled. The growth of the domestic system, the decline of the craft-gilds, the enclosures, the development of commerce are all suggestively treated.

The Industrial Era is less adequately described. The proportion of events is not so well preserved, nor the critical literature so closely followed. Factory legislation and the trade union movement receive more attention than they deserve, and the actual industrial development of the nineteenth century is scarcely mentioned. For these deficiencies, however, Mr. Innes is hardly to be criticised; his narrative merely brings to light the disproportionate emphasis that has been given to certain topics in recent industrial history. The chapter on the Agricultural Revolution, indeed, is not entirely abreast of recent literature, but the changes in the chronology of the history of the yeoman can hardly be said to dominate the critical writing of the present time. It is, however, a serious reflection upon the adequacy of the literature on the subject, that Mr. Innes should not feel the necessity of alluding to the Bessemer inventions, the spread of the factory system between 1800 and 1850, and the more general features of the development of the existing system of railways. The records of these events are still confined to an unwieldy special literature and the voluminous Blue Books.

ABBOTT PAYSON USHER.

Cornell University.

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INTERNATIONAL COMMISSION OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS.  
(Ed.). *The Country Church and Rural Welfare*. Pp. 152. Price, \$1.00.  
New York: Association Press, 1912.

A series of quotations from the opinions of the most prominent workers and thinkers of the Rural Church Problem of the present day. The topics discussed are: 1. Is the Fundamental Function of the Rural Church Theological or Sociological? 2. Standards of Religious Teaching. 3. The Church Itself. 4. The School. 5. The Grange. 6. The Church and the Farmers' Institute. 7. Leadership. The opinions quoted on each of these questions are the opinions of men like Rev. Wilbert Anderson, Rev. Warren H. Wilson, Prof. G. Walter Fiske, President Kenyon L. Butterfield, Rev. Mathew B. McNutt, Hon. John Hamilton, Secretary Willet M. Hays, and others as well known. The conclusions reached will be helpful to any rural pastor who is anxious to inform himself of the best thought on this vexed problem.

Some opinions expressed on such questions as the relations of the Country Church and the grange are well worth quoting as guides to those who have felt that the grange was inimical to the church. President Butterfield points out that

the two can work side by side, the grange having as its chief function, educational work and the church if it is alive to its mission, having as its chief function religious and social work. If one is inactive and the other active each can to a certain extent do the work of the other. Certainly the church in several instances has greatly assisted in the revival of the grange. The erroneous idea which has taken hold of the minds of some people that societies with a ritual such as the grange has, can take the place of the church is met in this way. "Anybody who knows about the grange work knows that it has a moral purpose, its ritual being permeated with moral and religious thought; and a man cannot be a member of a grange who is at all sensitive to spiritual things without feeling that underlying it all there is a great spiritual idea. But no level-headed person believes that the grange can take the place of the church."

The cooperation of the church with the farmer's institute is touched upon in the chapter on The Farmer's Institute, and it is worth noting that the institute offers to all denominations a common meeting-ground and can be promoted without arousing sect prejudice. The institute rightly developed is one great means toward rural community building—the church is another. Each can work to promote the work of the other without overlapping.

In conclusion the book states "that the fact that the discussion has been brought about under the auspices of a specific department of the Young Men's Christian Association indicates that the church for some reason has not adequately fulfilled this function, a fact so frankly conceded by most of the writers. It should be stated, however, at the outset, that while some justly keen criticisms of the church's methods (or lack of methods) in this field have been presented, yet on the whole there is manifest a sincere desire to help the church to master its problem in the rural districts." And this may truly be said to be the object of the book.

Even after much information has been circulated concerning the reasons why the rural church is as it is, even after several years of ever growing evidence that not one but all rural communities are suffering from stagnation in church work, there still exist pastors who have not recognized the symptoms in their own communities as pathological, there still exist convocations which ignore the rural church problem and give it no consideration at their annual conferences. To all such this little book "The Country Church and Rural Welfare," may be the beginning of wisdom and may open the minds of our pastors and religious teachers to the fact that there is a Country Church Problem.

EDITH ELLICOTT SMITH.

Pennsdale, Pa.

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KNOEPPPEL, C. E. *Maximum Production in Machine Shop and Foundry*. Pp. v, 365. Price, \$2.50. New York: Engineering Magazine.

Knoepfel's *Maximum Production* is based on articles that appeared in the *Engineering Magazine* between October, 1908 and May, 1911, but for publication in book form these articles have been "resurveyed, rearranged and largely recast," with the result of satisfactory continuity and logical treatment.

The first seven chapters, although they deal primarily with foundries and machine shops, contain much material applicable to manufacturing plants in

general; beginning with chapter viii, the book treats of foundry practice in particular. Efficient organization, cost keeping and other accounting problems, routing, stock keeping, prompt deliveries, and analysis of operations are among the topics treated.

Although valuable and suggestive, especially to foundry men, this book can not be considered an important contribution to the science of management. The writer belongs to the Harrington Emerson school of efficiency engineers; he apparently believes in time-studies as a means of determining standards, and in bonus or premium methods of wage payment, but nowhere does he discuss these matters, or give the results of their use in foundries or machine shops. The treatment of accounting problems, which is elementary, serves a useful purpose, as, for instance, in the discussion of depreciation in chapter iii. The distribution of foundry expense burden is treated at length: apportionment on the basis of "direct labor" is proved to be far better than on the basis of "tonnage," but a combination of the two, with some elements of expense burden distributed on each basis, is shown to be preferable. The reasoning is conclusive, but inasmuch as foundry production is comparatively simple, the argument offers little help to cost accountants who are struggling with more intricate problems. The book is of value principally in pointing out the need of better methods in general, and in the very excellent analysis and recommendations for the improvement of foundry practice, which is really the main purpose of the book.

L. D. H. WELD.

*University of Minnesota.*

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LYON, W. H. *Capitalization*. Pp. xi, 296. Price, \$2.00. Boston: Houghton, Mifflin Company, 1912.

This latest contribution to corporation finance is unquestionably a valuable addition to that subject. In chapter i on "The Instruments," Mr. Lyon sounds the keynote of the volume in stating that the various forms of corporation securities are largely determined by "the desire to apportion the elements of risk, income, and control involved in an enterprise" (p. 2).

The two most interesting chapters of the volume are the second and third. In the second, entitled "Trading on the Equity," the term equity is used as meaning "any ownership in a property that assumes a larger risk than some other interest." Safety or danger in the "equity" depends upon the interplay of relations of gross income, operating expenses, and interest charges, and the range of fluctuations of "gross" and "operating." This gives rise to two different kinds of risk; the "business risk," which depends upon "the amount and range of fluctuation of gross income in relation to the amount and range of fluctuation of the percentage of the gross income used in operating expenses," and the "financial risk," which depends upon the fluctuation of net earnings in relation to the amount that interest charges consume (p. 54). The character of the equity is then discussed upon this analytical basis with the use of mathematical examples and numerous illustrative references to the securities of particular corporations.

Even more interesting than the second chapter is the third on "Watered Stock." In essence this chapter is nothing more nor less than a defense of that much maligned device of the financial world. The basis of the defense may be found in a sentence in the author's own words:

"Watered stock can take a very useful and entirely proper part in corporation finance through affording a still further means than those dealt with in the earlier chapters of effecting divisions and recombinations of the incidents of ownership—income, control, and risk" (p. 88).

Regarding the other chapters, chapter v on Amortization discusses the subject under the heads of serial repayment, sinking fund, purchase of own securities and purchase of other securities than its own. These plans are tested by a set of six questions too long to be enumerated but which as applied to the methods mentioned furnishes the basis for a comprehensive and enlightening discussion. Chapter vi on Form deals with such considerations as Interest Rate, Term, Right to Redeem, Interest Dates, Domicile, etc. Chapter vii, The Market and the Price, treats as the title indicates of market conditions. The final chapter, Capitalization and the State, discusses at length the bases of state regulation, theories of capitalization and, specifically, the attitude of several states.

So much may be said for the substance of the volume. To the reviewer the book appears to be as good if not a better treatment of investments than it is of corporation finance. Any volume which discusses so comprehensively the distribution of the elements of risk, income and control with the citation of scores of illustrations taken from the issues of well-known corporations can be studied with great profit by the average investor. The reviewer has only one adverse criticism. This is that the discussion of watered stock throws too far into the background the fact that issues of this type are only too often not governed by the considerations mentioned by Mr. Lyon.

WILLIAM S. STEVENS.

Columbia University.

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McCONNELL, ROY M. *Criminal Responsibility and Social Restraint*. Pp. 339. Price, \$1.50. New York: Charles Scribner's Sons, 1912.

"Society has schools for the ignorant. It has accident stations, ambulance corps, dispensaries, and hospitals for the injured and diseased. It has special educational institutions for the feeble-minded, the blind, the deaf, and the dumb. It has homes for the aged, the infirm and the incapacitated. It has asylums and hospitals for the epileptic and the insane. But for the criminals, society has detective agencies, bureaus of criminal identification, police, judges, jailers, and executioners, houses of correction, penal colonies, jails, penitentiaries, the gallows, and the electric chair." In this piquant fashion the author raises the question of the different basis of treatment. The explanation is to be found in the current theories of criminality, viz., that crime is the deliberate choice of evil on the part of a free moral being, and as such it must be punished.

Part I of the book discusses the aim of Punishment for Expiation, for Retribution, for Deterrence and for Reformation. The demerits, and above all,

the inadequacy of each and all are exhibited because of the false basis upon which they rest. Social utility alone justifies punishment and this requires that punishment shall be resolved essentially into prevention and treatment.

Parts II and III on "Freedom in Crime" and "Responsibility for Crime" contain the main thesis of the book. The argument is a thorough going defense of determinism in the realm of thought, feeling, and volition. Present-day psychology, the author declares, "does not admit the existence of such entities as 'the will,' which wills, 'the intellect,' which thinks, and 'the sensibility' which feels—as it were, three persons within one person. It recognizes only distinct processes, elementary and compound. And no one of these—whether it be a feeling-process, or a thought-process, or a volition process—is properly called 'free.'" This argument is elaborated and elucidated with fine logical insight. It places the whole subject of individual action upon a definite, concrete and analyzable basis and renders it a fit subject of scientific treatment.

Conduct then—criminal conduct—is not predestined and it is not free; it is determined—it is result.

The book contains the most clear, logical and adequate argument yet presented as a basis for the work of the modern school of criminology. Punishment, if we still prefer to use that term, in order to be of value must be adjusted, not to the crime but to the criminal and the form which it will take will more and more come to conform to the treatment of the sick, the injured and the mentally defective.

The style of the writer is clear and forcible. The vocabulary is non-technical so that the laymen will read it with the facility of the scholar. It is destined to become a classic in the literature of the scientific school of criminology.

J. P. LICHTENBERGER.

*University of Pennsylvania.*

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MAHAN, A. T. *Armaments and Arbitration.* Pp. 259. Price, \$1.40. New York: Harper & Brothers, 1912.

Under this title our most distinguished authority on sea power gathers a series of articles chiefly contributed to the *North American Review* during 1911 and 1912. Only the first six chapters fall under the general title. In these the main thesis is that force is still the chief factor in settling international conflicts. But the possession of might and its use do not necessarily connote a lack of high motives. Arbitration may be an acceptable means of settling disputes where the issue is purely one of law but this is the case in few important international disagreements. The chances of fair settlement are greater the author maintains where the "give and take" procedure of diplomacy is relied upon rather than the dry legalistic methods of arbitration. Matters of national honor should therefore not be included in an unlimited arbitration agreement. These often involve conditions upon which law gives no rule which would promote justice. Judged by the strict rule of law, the author asks, what would have become of an arbitration between the United States and Spain concerning Cuba or a dispute with any European power concerning the Monroe Doctrine. The argument is enforced by a rigorous testing of the principles laid down by applying



them to the facts of our great national crises and international events of the present time.

In the latter part of the book two chapters are devoted to the changes in sea power especially as affecting the United States, which will follow the opening of the Panama Canal, and to an argument for fortifying the waterway. Another discusses the methods by which young officers are trained in the "war game" at the naval war college. The closing essay is a vigorous defense of the action of the United States at the time of the Panama revolution. Though the book lacks unity, as is to be expected in a work made up of articles originally unrelated, it is an excellent exposition of the point of view of an eminent man of military training and ideals toward the Peace Movement.

CHESTER LLOYD JONES.

University of Wisconsin.

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MONROE, PAUL (Ed.). *A Cyclopedia of Education*. Vol. III. Pp. xi, 682. Price, \$5.00. New York: Macmillan Company, 1912.

This volume, going from *Gai* to *Lib*, covers a number of important studies and educational themes, such as geometry, geography, Greek, history, household arts, industrial education, kindergarten and Latin.

The treatment of most of these is so good that one can but wish that it were better. We hear much of the past and present, it is true, but there is not much that points to the future. Foster Watson, for example, gives us the history of Latin grammar, and Lodge discusses the methods of teaching the subject in its traditional aspects, but nowhere does either of these gentlemen discuss what the modern man most wants to know—the future of this subject, its relations to the life and needs of to-day, the transformations that are necessary if the subject is to retain more than a mere antiquarian interest. It may be asked, why do we ever go to the cyclopedia? As this is at present constituted, it may be answered, we go not at all, except when we look for facts, as we look in dictionaries for the pronunciation and meaning of words. Perhaps the cyclopedia should be nothing but a reservoir of facts, but it might be something else—namely a source of insight, outlook and aspiration. The greatest thing in modern education is the transformation of old studies to serve new purposes, as is seen in language for use, mathematics for construction, geography for commerce and industry, the correlation of fine and useful arts, history to conserve economic ends, and so following. So powerful is this tendency that it may be predicted that those subjects that can not be thus transformed by selection of topics, methods of teaching and correlation with the things to which they should be related, will gradually disappear from the curriculum. We hear reiterated the old story that nothing is so good as *Cæsar* for the second-year students in the high school. Perhaps this is a lamentable fact from some standpoints, but what shall we say of the appropriateness of such material for womankind, and for boys whose interests are far removed from such topics. Shall simplicity of construction, diction, and so following, be forever the determining factors in the choice of a study. Must the second year of Latin always be a set of finger exercises, so to speak, for the mind?

Professor Knapp gives us a good account of the history of English grammar, but he gives small intimation that the greatest need of this subject is revolution, swift and sweeping if need be, but revolution at all events. He does not point out that our so-called English grammar is at present but a Latin graft on an English root, that it is consequently out of touch with English itself, and that it is, moreover, hopelessly behind both in psychology and logic. He does not show the confusion that has entered the subject because of these facts. When it is learned that out of twenty-five grammars fortuitously selected, Mr. Rounds finds nine different answers to the question, what is the construction of "good" in the sentence "He is good?" and eighteen for the same question about "red" in the sentence "We painted our barn red," we may surely conclude that the subject needs reconstruction in root and branch. It is not so much the abstract in grammar that is the cause of its difficulty, as the confusion that has arisen because of the present state of the subject. If a cyclopedia gave us help on such matters, it would be more widely used.

CHARLES DE GARMO.

Cornell University.

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PASSY, LOUIS. *Histoire de la Société Nationale d'Agriculture de France*. Vol. I, 1761-1793. Pp. 470. Paris: Philippe Renouard, 1912.

In 1911 the National Agricultural Society of France celebrated its one hundred and fiftieth anniversary. On that occasion the author, who is the permanent secretary of the society, announced that he was preparing a complete digest of the society's proceedings in two volumes. This is the first volume, which deals with the work and influence of the society from its origin in 1761 to the time of its temporary dissolution during the reign of terror in 1793.

While this volume, therefore, covers only a little more than thirty years of the 150 of the society's existence, it would seem to deal with the most interesting period of its history and certainly presents information which would be most difficult to secure unless one had complete access not only to the original minutes of the society and its published and unpublished memoirs, but also to the archives of the French government to which the author had frequently to resort for necessary information for filling gaps.

During the period of which this volume treats, the Society of Agriculture accomplished much for the improvement of French rural life. Many of its members possessed large estates on which they lived and where they experimented, coming to Paris to attend the meetings, present papers, and take part in discussions. It was through the efforts of one of its members, Parmentier, that the potato was successfully grown and became generally adopted for human food instead of being altogether used for live stock. Many of the problems of modern agriculture engrossed their attention, such as drainage of swamp lands, irrigation, fallowing, culture of meadow lands, testing different varieties of plants and various fertilizers, control of insect pests and plant diseases, improvement in farm implements particularly the plow, the breaking up of uncultivated land, the best methods of cultivating large plantations, soil analyses, progress in veterinary science, animal breeding, forestry, plant introduction

and acclimatization, silk culture, horticulture, gardening, and projects of rural economy and sociology. For the best results and as a means of encouraging experiment the society offered prizes. It not only had its regularly elected members, but correspondents in all parts of France. In this way the Society of Agriculture had a practical and scientific influence throughout France.

To American economists interested in the history and development of agriculture, this volume forms a rare treat. The society exists to-day as the most famous and one of the oldest in France. The volume gives in a readable and interesting manner not only an account of the proceedings of the society, but also the efforts of its members to promote practical and scientific agriculture as a means of improving the economic and social conditions of the period. These were confessedly bad as is well known. This need was clearly recognized by members of the Society of Agriculture, many of whom are now named among France's foremost citizens who, nevertheless, fell victims to the revolution and the reign of terror because of their having been associated with royalty or because of their being of aristocratic descent. In such times their devotion to agriculture and the improvement of rural conditions availed them not.

With the reign of terror occurred the dissolution of the society. Here the volume closes, citing in a few pages the names of its members who, though proscribed, escaped from France, those who perished, and the particular lines of agricultural practice and rural economy in which the most illustrious members were interested. In the words of the author, these pages form a fitting close to the life and history of the Society of Agriculture for the time being, whose laborious and glorious activities were interrupted by the political events of the troubled period of 1793.

JAMES B. MORMAN.

Kensington, Md.

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VON PEEZ, ALEXANDER, und DEHM, PAUL. *England's Vorherrschaft aus der Zeit der Kontinentalsperre*. Pp. xx, 381. Price, m. 8.50. Leipzig: Duncker und Humblot, 1912.

This is an interesting historical work by a journalist and man of affairs who frankly avows that in regard to the great European struggle of the Napoleonic era he proposes to write a book that will give attention altogether to material and commercial conditions. He "would say those things which the others have omitted or failed to give due prominence." Hence we have emphasis laid upon such subjects as the industrial development in England as a basis for her triumphant participation in the great struggle; the dominance of English commercial interests in determining her policy, particularly in connection with the resumption of the war in 1803 when it was found that the peace of Amiens made no provision for the admission of English manufactures and colonial wares into the countries controlled by France, thus continuing to carry on the policy of exclusion as before; the Orders in Council and Napoleonic Decrees, the license trade and smuggling; the place of neutrals and neutral trade; the economic causes back of the defection of Russia; reconstruction in France under Napoleon; the good business—"gute Geschäfte"—England made as a result of the

Continental System, and her industrial and economic ascendancy which, as the writer indicates in the title of his work, was firmly established at this time.

That a volume written from this standpoint would have much that is novel and original is evident. Unfortunately the scientific spirit is not present. The work is not based upon the sources necessary for a thorough study of the subject, but rather upon a small portion of printed matter that was readily available. The archives of the continent are remarkably rich in unused material for the economic historian of this period, but with this the author little concerns himself. The result is a somewhat popular history, with much shrewd insight into the great forces of the period, but very little in the way of actual contribution. This is particularly true when one compares the work with the very able volumes of Captain Mahan in the same field. Indeed both the matter and the treatment suggest a very liberal use of the American scholar's work.

WM. E. LINGELBACH.

*University of Pennsylvania.*

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PERRIS, HERBERT. *Germany and the German Emperor*. Pp. viii, 520. Price, \$3.00. New York: Henry Holt & Co., 1912.

Two conflicting purposes stand out in the book. The author compares old and new Germany much to the disadvantage of the latter, and emphasizes the Machiavellian and, he would have us believe, futile policy which the government is pursuing in both domestic and foreign affairs. To furnish a proper perspective a criticism is made of German development from the Middle Ages but the chief emphasis is upon the last half century. Bismarck and Emperor William II come in for the roundest condemnation, in fact the book is largely devoted to the analysis of motives and acts of each these two dominant figures. They have created a military conscienceless world power bound on crushing out all diversity to further a national ideal. Literature, art, civic life, education, all are to be standardized by being pressed into an iron mold. Germany is a grim machine whose chief function is to restrain the natural healthy growth of Central European culture. Parallel with this argument and giving at times the most curious juxtaposition of ideas runs a theme which belittles the German accomplishment. The provinces are disaffected, the people do not approve the government, the army officers talk of war with England but they will not fight. German military methods are praised because of a glorious past but they have been outgrown. There is no danger of a European war started by Germany, because war is too costly.

Toward the German people the author adopts a more friendly tone. They have been trained away from their best traits but especially in the south there is still much to admire. The discussion of the rivalry of England and Germany is remarkably fair considering the author's evident predispositions in favor of the former country. The last chapters on the economic revolution now in progress and the political revolution which the author thinks inevitable in Germany are the best in the book.

CHESTER LLOYD JONES.

*University of Wisconsin.*

REPPLIER, AGNES. *Philadelphia, The Place and The People*. Pp. xxi, 392. Price, \$1.50. New York: Macmillan Company, 1912.

It is difficult to place Miss Repplier's story, "Philadelphia, The Place and The People," under any of the familiar categories which we find in libraries. It is not fiction, biography, or travel, and least of all, is it history as we ordinarily use the term. If we would call it literature we should neglect the delightful story of the development of Philadelphia, and if we called it history we should not be taking into consideration its literary value or the personality of the author. Let us attempt the impossible and define it as a delightful narration of historical facts.

Philadelphia, from the day the first colonists sought peace in the forests of Sylvania to the present time, is laid before the reader in fascinating word pictures. Miss Repplier takes us into the homes of the early citizens and shows us how they worked and lived and played, and how unconsciously they made history. She tells us of the quiet, peace-loving Quakers, the stolid, industrious Germans and the troublesome Scotch-Irish; of the Penns, the Logans, the Shippens; of Franklin, and of Morris and of Girard; and all in such a familiar yet respectful way, that we feel as if a very intimate mutual friend had taken us around to call.

We learn from this book of the littler things, the idiosyncrasies, as it were, of men and women, of whom in larger histories we hear but a word and that in connection with some much greater event. Histories usually show us men and women as they appeared in a movement or a cause, but Miss Repplier with clever pen, keen insight, much wit, and deeper sympathy, presents the great men of Philadelphia to us in such a way, that we feel that we have really met them and have gone along home to dinner.

And yet through all the book runs the undercurrent of authentic historical data. Never for a moment do we doubt the author's accuracy. We hear the echoes of the Indian Wars in the neighboring colonies, we hear the rumblings of the Revolutionary cannon and smell the powder from nearby battlefields. We hear the wheels of industry being forged and later see Philadelphia become the greatest of manufacturing cities.

To the Philadelphian, indifferent, perhaps ignorant as well, of the great heritage which is his, this book is a revelation. To those without the gates, it should serve to dispel that erroneous opinion of Philadelphia's lack of progress, which her citizens have done so little to refute or explain.

ALBERTA MOORHOUSE GOUDISS.

#### *Philadelphia.*

ROBERTS, PETER. *The New Immigration*. Pp. xix, 386. Price, \$1.60. New York: Macmillan Company, 1912.

Imagine a group of American citizens, interested in public problems, and particularly in the question of immigration, gathered for discussion. In the midst of this group, imagine a man of broad human sympathy and keen powers of observation, equipped with a wide personal experience with the foreign-born and a large accumulation of information about them. Imagine this man discoursing informally with the group about him, giving them his impressions and



convictions on the subject of immigration, and answering their queries freely and without reserve. Finally, imagine a verbatim report of this conversation incorporated into a book of four hundred pages, and you will have a very good idea of the character of Dr. Roberts' new book. One who picks up the volume in the spirit of a member of such an inquiring group will find much to interest, inform, and awaken him. But one who turns to this book for an authoritative and thorough-going critical study of the problem of the new immigration will be disappointed. The spirit of careful analysis of mooted questions is absent. The language is colloquial, and sometimes incorrect. The historical allusions and some of the technical terms are not always accurate—as when the author speaks of the Physiocratic fallacy regarding the importance of gold (p. 13), or uses the term "deportation" where he means debarment or exclusion (p. 21). Many inconsistencies occur in the sweeping statements made. Worst of all, the statistics are not accurate. A single example of this must suffice. On page 49 the author makes the statement that "the percentage of farmers and farm laborers in this new stream is sixfold what it was in the old," and in a footnote adds that this percentage among the old immigration was 10.7. The basis for this statement is furnished by a table of figures taken from the Report of the Immigration Commission giving the European occupations of immigrants engaged, at the time the investigation was made, in the manufacturing and mining industries of the United States. This is evidently no fair indication of what the character of the old immigration was in this respect. More than this, the author admittedly leaves the Irish out of the count, because they were preponderantly agricultural. Yet the Irish made up about a third of the old immigration. And then, to get the average the author adds up the percentages of the remaining races, and divides by the number of races, paying no attention to their numerical importance, and giving the same weight to the Flemish and French that he does to the Germans and Norwegians. An author who can make as many statistical blunders as this in a single sentence forfeits the confidence of the reader in his statistics in general, especially when no reference is given by which they can be verified, as is quite generally the case in this book.

The value of the book lies in its wealth of concrete illustrations of significant facts, and in its stirring plea for a better understanding and treatment of the immigrant. The author makes a strong appeal to native-born Americans to recognize their duty and opportunity toward the foreigner. Undoubtedly Dr. Roberts magnifies the efficiency and possibilities of conscious philanthropic efforts in assimilating the immigrant. He does not—he could not—exaggerate the importance of assimilation itself and the book ought to be read by every public-spirited American. But the best of these efforts are inadequate to meet the occasion while the social and industrial conditions which characterize the life of the working classes of this country persist. Dr. Roberts is an avowed anti-restrictionist, yet his book is the strongest argument which has yet appeared for a temporary restriction of immigration, until the United States shall have devised some efficient method of giving the alien that for which he comes, while safeguarding the interests of the country.

HENRY PRATT FAIRCHILD.

*Yale University.*

TARDE, GABRIEL. *Penal Philosophy*. Pp. xxxii, 581. Price, \$5.00. Boston: Little, Brown & Co., 1912.

The American Institute of Criminal Law and Criminology has done a great service to the cause of Criminological science in presenting to American readers this great work on Penal Philosophy. The author's long career as a criminal magistrate provided ample opportunity for first-hand knowledge of the criminal which was utilized not only for the purpose of improving criminal procedure but for developing a philosophy of the criminal. This has done much to forward the science of criminal psychology and sociology. It was from his office as *juge d'instruction* for nearly eighteen years in his native city of Sarlat, that he made the observations concerning the large part played by imitation in criminal conduct which he made the basis of his interpretation of language, art, law, institutions and human society generally as set forth in *The Lois de l'imitation, qu'est-ce qu'une société*, and other writings.

In 1890, the date of first publication of this work, the doctrines of the positive school of criminology, particularly those of criminal anthropology, were having wide circulation. It was largely to evaluate these doctrines and supplement them with what the author believed to be neglected elements that this book was written.

The crux of the whole subject of penal philosophy is the doctrine of moral responsibility. To an examination of the deterministic theories of the positive school the author devotes six of his nine chapters. Without attempting in the least to deny the doctrine of determinism so thoroughly established in every other realm of knowledge and now rigidly applied to human conduct, he nevertheless attempts to reconcile it with freedom of choice. This he does on a psychological basis. Two points are emphasized. First is the identity of the psychological self which includes all the elements of heredity, education, experiences, and memory. These combine in establishing certain ideals which constitute the goal of life and give a sense of the unity of personality. So long then as this "self" responds to the necessity of his nature and is not coerced he is free and moral.

To this must be added, in the second place, the relation of this "self" to others. This sense of social similarity creates the definite consciousness of social responsibility.

These criteria the author believes establish a genuine basis for responsibility without raising the old question of the freedom of the will.

Concerning the causes of crime the author makes much of the general laws governing social relations i.e., repetitions or imitations. This naturally leads to the assumption that crime is primarily a social rather than a biological or physical matter as emphasized by the anthropological school. In the emphasis placed upon environmental factors, however, M. Tarde has hardly gone further in his analysis than Lombroso himself in his "Crime, Its Causes and Remedies," published in this series.

Chapters vii and viii are devoted to a review of modern theories of criminal procedure and penology, and consist chiefly of practical criticisms on the basis of views developed in previous chapters.

The last chapter is a discussion of capital punishment and seems to have little vital connection with the remainder of the book.

The English of the translation is involved and in many places lacks clearness and definiteness making it somewhat difficult reading.

The book on the whole is a valuable commentary on the modern school of criminology and should be read by everyone who desires familiarity with the leaders of modern thought in this field.

J. P. LICHTENBERGER.

*University of Pennsylvania.*

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TRAIN, ARTHUR. *Courts, Criminals and the Camorra*. Pp. 253. Price, \$1.75. New York: Chas. Scribner's Sons, 1912.

Lord Bacon once said: "We are much beholden to Machiavelli and others who wrote what men do and not what they ought to do." If regarded from the same point of view the author of this volume certainly is worthy of peculiar esteem. He has shown from the record of personal experiences that our criminal procedure is as far from the letter of the law in its actual administration as our actual political government is from the purpose and intent of the framers of our constitution. The presumption of innocence is a "pleasant fiction" and in practice results in a "legal hypocrisy vastly less desirable than the frank attitude of our continental neighbors toward such subjects."

He has revealed the inside workings of the district attorney's office and shown how the various elements in the work of detection and prosecution of the criminal—the district attorney, the police, the press, and the personal friends or family of the criminal—are often antagonistic, making the work exceedingly complicated.

As in his previous writings he defends the much criticised jury and finds that it works substantial justice in the vast majority of cases. From a great store of personal knowledge and wide observation he discusses the question of "Why do men kill?" and aside from a catalogue of causes throws little new light on the subject.

A little more than two hundred pages are devoted to a first-hand study of the Camorra in Italy and the criminal Italian element in the United States. The picture is somewhat depressing but reveals the need for more strict police measures, not only in preventing the criminal immigrant from entering the United States but in dealing with the whole problem of the foreign criminal.

The book is written in the same fluent style characteristic of his "Prisoner at the Bar" and other works. It is not a scientific treatise but emphasizes the human element in the crime problem.

J. P. LICHTENBERGER.

*University of Pennsylvania.*

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WASHINGTON, BOOKER T. *The Man Farthest Down*. Pp. 390. Price, \$1.50. New York: Doubleday, Page & Co., 1912.

It is not often that a tourist, after spending a few weeks among a foreign people and assay to write about them, ever produces anything valuable. This volume

is a unique exception to the rule. The author spent six weeks in Europe in almost as many countries investigating the people whom the ordinary tourist never sees, and out of this experience, supplemented by a very careful study of the latest literature concerning these peoples, has produced a volume unique in character and extremely valuable.

The vividness with which he portrays the condition of the man and the woman "farthest down," the clear-sighted analysis of their situation, the description of the causes which produced the results described, serve to place the author among the most accomplished social critics of his time. It was not to be supposed that Dr. Washington could write anything without betraying his burning interest in the improvement of his own race, so that one is not surprised to find the narrative filled with comparisons of the conditions of these peoples with those of the negroes in America. He compares the social, political, industrial, agricultural, religious and moral status of the man "farthest down" in Europe with the American negro and finds it not to his discredit. He insists again and again that conditions are not unlike except in the fact that the man at the bottom in Europe is the man who has been defeated and gone down, while the negro has never gotten up. The same race prejudices exist and in every instance, no matter what the causes of race differences may be, the race at the bottom is branded as "the inferior race."

His comparisons are not unfavorable to the negro race. He concludes: "The more I entered into the life of the people at the bottom, the more I found myself looking at things from the point of view of the people who are looking up rather than that of the people who are at the top looking down. . . . The man who is down, looking up may catch a glimpse of heaven, but the man who is so situated that he can only look down is pretty likely to see another and quite different place."

The book is written in excellent literary style. Its diction is clear and forceful. It deserves a wide circulation.

J. P. LICHTENBERGER.

*University of Pennsylvania.*

REPORT OF BOARD OF DIRECTORS OF THE AMERICAN  
ACADEMY OF POLITICAL AND SOCIAL SCIENCE.  
FISCAL YEAR ENDED DECEMBER 31, 1912.

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I. REVIEW OF THE ACADEMY'S ACTIVITIES

Independent of the record of accomplishment for the year 1912 it must be a source of much satisfaction to the members of the Academy that their organization is with each year assuming a more important place in the guidance of opinion. The purpose of your Board has been not merely to make the subjects covered by the publications and meetings of the Academy national in significance but to make the influence of the Academy national in scope. That we are meeting with success in this effort is attested by the large and increasing group of persons in different sections of the country who look to the Academy for guidance and who are ever ready to cooperate with the officers in extending the scope of the Academy's influence.

We are now approaching the twenty-fifth anniversary of the Academy's existence and your Board is beginning to make preparations for the proper commemoration of this event in the spring of 1915. By that time it is hoped we will be able to realize the two great needs of the Academy—first, an adequate endowment, and secondly, a separate building adapted to the Academy's needs. We feel, however, that we would like to accomplish these two great purposes through the cooperation of as large a part of our members as possible rather than through an appeal to one or a few individuals.

II. PUBLICATIONS

The publications of the Academy during the year 1912 have furnished a series of symposia on national questions which are in the foreground of public attention. Your Board desires to take this opportunity to express its obligation to the Editor-in-Chief, to the Associate Editors, and to the other members of the Publication Board for their unselfish devotion to the publication work of the Academy. During the year 1912 the Academy has issued the following special volumes:

January....."China: Social and Economic Conditions."  
March....."Country Life."  
May....."Efficiency in City Government."  
July....."Industrial Competition and Combination."  
September....."Initiative, Referendum and Recall."  
November....."Outlook for Industrial Peace."

In addition the following supplements were issued:

May....."Timber Bonds as Investment Securities."  
November....."Reconstruction of Economic Theory."



## III. MEETINGS

During the year 1912 the Academy has held the following meetings:

January 27 . . . . "The Policy of the United States Government with Reference to the Panama Canal."

February 24 . . . . "The Present Situation in Persia."

March 29 and 30. "Competition and Combination in Commerce and Industry."

November 19 . . . "The Art of Public Giving with special reference to Will-Making and the Uses of Endowments."

November 26 . . . Joint Session with Pennsylvania Arbitration and Peace Society. "The Balkan Situation and the Peace of Europe."

## IV. MEMBERSHIP

The membership of the Academy on the 31st of December, 1912, was 5,619, with a subscription list of 609, making a total of 6,228. Of the 5,619 members 1,203 are residents of Philadelphia, 4,181 are residents of the United States outside of Philadelphia and 235 are foreign members. Of the 609 subscriptions, 2 are Philadelphia, 545 United States outside of Philadelphia, and 62 foreign. Compared with the membership on the 31st of December, 1911, we find that in the Philadelphia membership there is a gain of 46, in the membership in the United States outside of Philadelphia 397, and in the foreign membership 33, or a gain of 476 in the membership list. In the subscription list there is a gain of 42 in the United States outside of Philadelphia and 4 in the foreign subscriptions, making a total gain of 522 in membership and subscriptions for the year.

During the year 1912 the Academy has lost through death 74 of its members, one of whom was a life member of the Academy.

*Foreign*

James T. Bell

Dr. Jose Madriz

Professor Georges Vidal

*Philadelphia*

George Burnham

Clement A. Griscom

Jesse H. Michener

Dr. Richard A. Cleemann

Samuel Kohn

J. N. Pew

James Christie

M. B. Laubach

John Price

William S. Emley

John P. Logan

James Rawle

Dr. Adam H. Fetterolf

F. H. McCann

William T. Rolph

Virginius F. Graves

Rev. O. B. McCurdy

J. B. Thayer.

*United States (Outside of Philadelphia).*

C. V. Anderson

Emil L. Boas

Hon. T. C. Dawson

Miss M. Bancroft

Thomas G. Boggs

H. F. Dimock

Dr. Enoch M. Banks

J. J. Browne

R. N. Durburrow

E. H. Bennett

James T. Clendenin

Major C. E. Dutton

Henry de R. vom Berge

Hon. J. Henry Cochran

John Eaton

Frank S. Blair

C. C. Cokefair

Louis R. Ehrich

William A. Feist	Rev. Edward C. Mitchell	Hon. T. G. Smith
J. R. Flickinger	William H. Moon	Henry Spies
Charles M. Hays	Walter Oakes	F. H. Stillman
Hon. Henry P. Hord	Edward J. Parker	George F. Stone
Horace E. Horton	W. C. Parsons	Hon. Charles W. Stone
William Kent	Sir F. S. Powell.	Isidor Straus
Lewis Kingman	James T. Pyle	Ernst J. Thalmann
Charles J. Krook	Stuart F. Randolph	August Uihlein
Charles F. Manderson	John Schroers	Gilbert E. Whittemore
Col. John J. McCook <sup>1</sup>	M. A. Scovell	S. P. Wolverton
D. S. Merritt	Hon. George M. Sharp	John G. Wright
Edgar J. Meyer	Albert K. Smiley	

The death of these members has deprived the Academy of some very warm friends and enthusiastic workers.

During the year the Academy has lost by resignation 454 of its members and 24 subscribers, but this loss has been counterbalanced by the addition to our membership roll of 1,004 members and 70 subscribers. Of the 1,004 new members six were entered as life members. Seven annual members were transferred to the Life Membership roll, making a total of 13 life members during the year.

Seth Bunker Capp <sup>2</sup>	Fanny B. Coleman	Charles J. Willett
Brazilio Machado <sup>2</sup>	Marcus M. Marks <sup>2</sup>	Cecelia Baldwin McElroy <sup>2</sup>
W. R. Callender	Arthur S. Huey	F. D. Waterman
Louis Marshall <sup>2</sup>	R. W. de Forest	Julius Rosenwald
	Oscar S. Straus. <sup>2</sup>	

#### V. FINANCIAL CONDITION

The receipts and expenditures of the Academy for the fiscal year just ended are clearly set forth in the Treasurer's report. The accounts were submitted to Messrs. E. P. Moxey & Company for audit and a copy of their statement is herewith appended.

In order to lighten the burden of expense incident to the Annual Meeting a special fund amounting to \$1,444.00 was raised. The Board takes this opportunity to express its gratitude to the contributors to this fund.

#### VI. CONCLUSION

Your Board desires to take this opportunity to thank those members of the Academy in all sections of the country who, throughout the year, have contributed toward strengthening our work, both through their advice and suggestions and through contributions to the special volumes.

<sup>1</sup> Life member.

<sup>2</sup> New members entered as life members.

PHILADELPHIA, PA., January 16, 1913.

MR. STUART WOOD,  
*Treasurer, American Academy of Political and Social Science,*  
*Philadelphia.*

DEAR SIR: We herewith report that we have audited the books and accounts of the American Academy of Political and Social Science for its fiscal year ended December 31, 1912. As a result of our audit we certify that the statement of assets and liabilities and statement of receipts and disbursements submitted herewith are correct.

Yours respectfully,  
 EDWARD P. MOXEY & Co.

## SCHEDULE A

*Statement of Receipts and Disbursements.*

Balance, Cash on Hand, December 31, 1911..... \$3,964.45

## RECEIPTS

Annual Subscriptions.....	\$24,700.50
Life Memberships.....	1,300.00
Special Contributions.....	1,547.68
Subscriptions to Publications.....	2,847.82
Sales of Publications.....	4,631.37
Income from Investments.....	2,970.00
Interest on Deposits.....	94.49
Miscellaneous Receipts.....	204.25
	<hr/>
	38,296.11
	<hr/>
	\$42,260.56

## DISBURSEMENTS

Office Expense:	
Office Salaries (10 clerks).....	\$6,729.76
Special Clerical Service.....	112.42
Telegraph and Telephone.....	211.34
Postage.....	1,707.97
Stationery, Supplies and Repairs.....	1,729.41
Freight, Express, Car Fares, Copyright	
Fees, etc.....	128.80
	<hr/>
	\$10,619.70
Philadelphia Meetings:	
Hall Rentals.....	\$548.00
Stationery, Engraving and Printing.....	982.03
Postage.....	77.96
Clerical Services.....	14.98
Expenses of Speakers.....	777.70
	<hr/>
	2,400.67

## Publicity Expense:

Pamphlets, Cards, Letters, Circulars and Advertising.....	\$985.62
Postage.....	276.71
	<u>\$1,262.33</u>

## Publication of Annals:

Printing.....	\$12,471.15
Reprints.....	783.50
Binding.....	640.40
Postage.....	1,126.65
Advertising.....	110.00
Sundries.....	442.68
	<u>15,574.38</u>

Investments Purchased.....	\$8,827.50
Interest, Premiums and Commissions on same	159.50
	<u>8,987.00</u>
	<u>\$38,844.08</u>

Balance, December 31, 1912.....	<u>\$3,416.48</u>
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## SCHEDULE B

*Statement of Assets and Liabilities, December 31, 1912.*

## ASSETS

*Investments*

\$3,000 St. Louis & Merchants Bridge Co. (1st Mtg. 6's—1929).....	\$3,000.00
3,000 Penna. & New York Canal & R. R. Co. (4½'s—1939).....	3,000.00
5,000 Wm. Cramp & Sons Ship & Engine Bldg. Co. (5's—1929)....	5,000.00
5,000 West Chester Lighting Co. (1st Mtg. 5's—1950).....	5,000.00
3,000 St. Louis Iron Mt. & Southern Ry. (General Mtg. 5's—1931)	3,000.00
3,500 Mortgages (6%).....	3,500.00
3,000 Pittsburgh, Bessemer & Lake Erie (1st Mtg. 5's—1947).....	3,000.00
5,000 Lake Shore & Michigan Southern Ry. Co. (Deb. 4's—1928)..	4,801.25
3,000 Market St. Elevated Passenger Ry. Co. (1st Mtg. 4's—1955)	2,786.25
5,000 Choctaw, Oklahoma & Gulf R. R. Co. (Genl. 5's—1919)....	5,000.00
5,000 New York Central & Hudson River R. R. (Deb. 4's—1934)..	4,640.00
5,000 Baldwin Locomotive Company (Sinking Fund 5's—1940)...	4,975.00
5,000 Lehigh Coal & Navigation Co. (Collateral Trust 4½'s—1930)	5,000.00
5,000 New York & Erie Railway (2d Mtg. 5's).....	5,000.00
5,000 City of Macon, Ga. (4½'s—1932).....	5,000.00
Cash in Bank.....	3,416.48
	<u>\$66,118.98</u>

## LIABILITIES

None.





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MARCH, 1912

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Labor*

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